Niagara Escarpment Commission's Response to the Hearing Officers' Report

Ontario
Niagara Escarpment Commission

THE NIAGARA ESCARPMENT COMMISSION'S
RESPONSE TO THE
REPORT OF THE HEARING OFFICERS ON THE
NIAGARA ESCARPMENT PROPOSED PLAN HEARING

June 1983

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I. STATISTICAL HIGHLIGHTS

A. RECOMMENDATIONS

The hearing officers made 932 recommendations. The Niagara Escarpment Commission considered each recommendation. The Commission's response was as follows:

RESPONSE	No.	Percentage
ACCEPT:	634	68.0%
ACCEPT WITH MODIFICATIONS:	86	9.2%
NONE:	150	16.1%
REJECT:	62	6.7%
Total	932	100

The Commission, therefore, has found the majority (77%) of the hearing officers' recommendations acceptable or acceptable with modifications.

"ACCEPT WITH MODIFICATIONS" means that the Commission has recommended a compromise which it thinks satisfies both the hearing officers' concerns and the purpose and objectives of the Act.

"NONE" means that, like the hearing officers, the Commission has dealt with a particular submission by referring to its recommendation on a related submission or section of this report.

"REJECT" means that the Commission found it difficult to satisfy the hearing officers without, in its opinion, contravening the purpose and objectives of the Act and the basic principles on which the Proposed Plan is based.

B. DELETIONS

The Proposed Plan Area is 37% of the Planning Area. The hearing officers' recommended deletions would reduce the Proposed Plan area to 32.5% of the Planning Area. The Commission's recommended deletions would reduce the Proposed Plan Area to 36% of the Planning Area.

2. RESPONSE TO VOLUME I - GENERAL SECTION

RESPONSE TO THE HEARING OFFICERS' REPORT ON THE NIAGARA ESCARPMENT PROPOSED PLAN.

VOLUME I - GENERAL SECTION.

Introduction:

The hearing officers are to be commended for producing a concise and, generally, clearly written report. Many of their recommendations are helpful and acceptable.

Before dealing with their specific recommendations, however, it is necessary to respond to the main points raised in their introductory chapters in volume one. It is there that they establish the principles on which they base their recommendations for massive deletions; extensive redesignations from Escarpment Protection to Escarpment Rural; and for permitting subdivisions in the Escarpment Protection and more severances in the Escarpment Natural designations.

General Observations.

The Provincial Interest.

The hearing officers' report states on page 12 that the objective to be achieved in the hearing was:

> "To strike a balance which is equitable to both the private and the public sector..."

Although a laudable objective, the Commission has two major points of concern which should be noted.

The first is that the hearing officers seem to play down the submission of supporters of the Proposed Plan who, as their report states, "... were not concerned landowners" (p.7) and "... had no financial interest in the privately owned lands... covered by the Proposed Plan." (p.11) This attitude is not in keeping with the spirit of the government's view of the Escarpment planning process "... as an open system where all can contribute." (p.16 of the 1973 Policy Statement). The hearings required by the Act were to provide an "... opportunity for any member of the public to state a view on the Proposed Plan..." (p.17)

The second point is that no balance seems to have been struck between a municipality and landowners. As a general rule, the hearing officers recommended the deletion or redesignation of lands as requested by a municipality, despite submissions by some owners of those lands requesting to be left in the Proposed Plan, and with their existing designations. For examples see submissions 412, 507 and 734 on pp 1248, 612 and 1331 respectively.

We think that a second objective, equally as important as the one quoted above, should have been used by the hearing officers as a guide in their deliberations. That objective is to strike a balance between the provincial and municipal interests.

This very important objective is implied in the Government's Policy Statement of 1973 on the Niagara Escarpment. On page 9 of the 1973 Policy Statement, the government states that to achieve the purpose of the Act, it chose a planning approach "featuring strong, provincially-directed, land-use regulation ..." One reason for choosing that approach was because "... the Escarpment has both provincial and local significance." Membership in the Commission reflected this search for balance between provincial and municipal interests. Of the seventeen members, "... eight... will represent local government" and "nine ... will be appointed ... as provincial representatives." (p.12) The Act reflects this balance also by providing for two advisory committees: one representing the municipalities and the other broadly representing the people of the planning area (the provincial interest).

In striking this balance, however, the 1973 Policy Statement makes it clear that "... provincial policies and plans must be pre-eminent in the control and development of the Escarpment." (pp. 13, 14) The Act reflects this by requiring all municipal official plans and by-laws to be brought into conformity with the Niagara Escarpment Plan.

By omitting this objective in their consideration of the municipal submissions, the hearing officers do not provide the required balance between the provincial and municipal interests. Their recommendations, therefore, generally are too heavily weighted in favour of satisfying the municipal submissions. For examples, see their recommended deletions, redesignations and policy changes as requested by the Counties of Bruce (Submission No.373), Grey (Submission No. 405), Townships of Nottawasaga (Submission No. 475), Mulmur (Submission No. 250), Mono (Submission No. 316) and Region of Peel (Submission No. 229).

As a result, the overall effect of the hearing officers' recommendations is to make municipal policies and plans pre-eminent in the control and development of the Niagara Escarpment. This is contrary to the government's intent as quoted above from the Policy Statement of 1973.

The Proposed Plan for the Niagara Escarpment.

The Commission considered it essential to present at the start of the hearings a fairly detailed explanation of the philosophy which guided the preparation of the Proposed Plan. The Commission's presentation papers, particularly (NEC 6), stressed the environmental planning approach used and the fact that the Plan's designations and policies were based on an analysis of the physical, ecological and aesthetic components of the Escarpment environment. The Commission's presentation also gave in detail the Commission's interpretations of the purpose and objectives of the Act and of terms like Niagara Escarpment, Natural Environment and Land in its Vicinity.

The whole purpose of the presentation was to try to point out that there were significant differences between the Proposed Plan and conventional official plans, because the Act differed significantly from the Planning Act. The Planning Act authorizes municipalities to prepare official plans primarily to accommodate development. The Niagara Escarpment Planning and Development Act authorized the Commission to prepare a plan primarily to maintain the natural environment of the Niagara Escarpment and land in its vicinity.

The hearing officers did not accept the basic principles on which the Proposed Plan is based nor the important differences between the Plan and a conventional official plan. The evidence for this conclusion is itemized below.

1. On page 11, the hearing officers seem to accept the view of "many" that the Proposed Plan is really a "large and extensive official plan." The only difference which they seem to see between the two documents concerns who has the right to appear at hearings.

2. On page 56, the hearing officers recommend that the possibility for the creation of new lots in Escarpment Natural Areas be allowed because the designation "is excessively restrictive." On page 58, they recommend that plans of subdivision be permitted in the Escarpment Protection Areas because "the Plan should not preclude the fundamental right... to make an application..."

   These recommendations reflect a Planning Act approach which provides for landowners in a municipality to be allowed by local official plans to develop their property to its maximum extent, but in accordance with sound planning principles. The Niagara Escarpment Planning and Development Act, however, clearly requires a different approach. The emphasis is on the maintenance of the natural environment, allowing only compatible development, not necessarily maximum development.

3. The hearing officers recommended that zoning and site plan control by-laws be used instead of development control regulations to implement the Plan. They support zoning because " under the zoning process of The Planning Act ... no arbitrariness or misuse of power is possible" (p.50), and because "...zoning has become the accepted method of land-use planning (sic) in Ontario". (p.52) (A more detailed discussion of the development control versus zoning issue follows later in this report).

What is the Escarpment? Land in its Vicinity Natural Environment.

These terms are taken from the presentation paper (NEC 6) referred to above. The definitions of the terms and the environmental planning approach described in the paper were supplemented by other presentations and several days of extensive cross-examination of Commission staff. As a result, the hearing officers were exposed to a thorough explanation of the terms themselves and of how they are environmentally linked. Nevertheless, a careful analysis of Chapters 3,4 and 5 of their report shows that they did not accept the explanations. Note the following:

a) Purpose of the Act (Sec. 2)

Page 1 of NEC 6 states that the NEC interpreted the Act as aiming to maintain not only the physical and visible Escarpment but also the natural environment of both the Escarpment and land in its vicinity.

The hearing officers' interpretation, however, is that the physical, visible scarp was to be protected (See p. 24). Where there is no visible scarp, little protection is necessary because "... what better protection can be afforded to the scarp than by 300 feet of soil on top of it." (p.24). They do not see a relationship between the natural environment and the Escarpment.

b) The Escarpment

What they appear to consider to be the Escarpment is only the visible scarp, the piece of rock sticking out of the ground. (See p. 24) In coming to this conclusion they have not accepted the following:

i) The Commission's definition (NEC 6) which is based primarily on Dr. Hewitt's (Exhibit 126) and was prepared for planning purposes, not geological definition.

ii) The evidence of Dr. Peter Telford who adopted Dr. Hewitt's definition as set out on page 69 of the Hewitt Report. Dr. Telford's evidence was that the Niagara Escrpment is made up of more than simply a cliff face, and that it included such features as secondary scarps, buried scarps and outliers. He also stated that it is a continuous geological landform.

iii) The evidence of the Ministry of Natural Resources which also corroborated the aspect of continuity and the Hewitt/Telford definition.

iv) The Government's Policy Statement (see p. 1) which indicates that the Niagara Escarpment in the mind of the government certainly was not simply chunks of rock emerging from the ground. Clearly, the government viewed the Niagara Escarpment as an environmental corridor composed of many different parts.

v) The Commission's presentation during the first Phase I Hearing (April 1980) of Exhibit 24, a document entitled Geology and Geomorphology. This was one of the Commission's background studies and shows the geological scarp. Yet on pages 22 and 23 of their report, the officers state that the location of the Escarpment was not shown in the Commission's presentation to them until January 1981. Note that the geological scarp was the basis of the "Scarp" designation in the Preliminary Proposals of 1978.

vi) The Commission's very cogent legal arguments on this issue submitted to the hearing officers on January 26, 1981.

c) Land in its Vicinity.

The hearing officers reject the Commission's definition of "land in its vicinity" for three reasons.

i) The lands included in this category were decided "subjectively by value judgements."

ii) The lands are based on the use of the objectives of Section 8 of the Act.

iii) The majority of the lands are privately owned.

They therefore recommend the deletion of large areas in some municipalities (e.g. County of Dufferin).

The following points are made in response:

i The hearing officers, while rejecting the use of the objectives of Section 8 on page 25, go on to state on page 26 that land in its vicinity can be defined based on the objectives sought (Section 8 of the Act). This is precisely what the Commission did.

In deciding on the area to be covered by the Proposed Plan, the Commission went through a detailed and lengthy exercise of retaining only those lands considered to be environmentally, culturally or aesthetically related to the Niagara Escarpment in accordance with the objectives of Section 8.

This process involved the consideration of all the environmental data supplied by the Ministries (Ministry of Natural Resources, Ministry of the Environment, Ministry of Citizenship and Culture) and the views of the municipalities affected. Only then did the Commission make its final decision. This process was explained at the hearings and the data used were submitted as exhibits. The aim was to show that a certain amount of subjective value judgement was exercised, but only in the context of the best data available.

ii The Commission's approach was to establish the area of land representing the Niagara Escarpment and land in its vicinity by using its definition of "Niagara Escarpment" and "natural environment." As explained above, these definitions clearly involve the environmental features dealt with in the objectives of Section 8 of the Act.

They also clearly indicate that the 300 feet of soil on top of the buried scarp are part of the land in the vicinity of the Escarpment. The area included in "land in its vicinity" is determined both horizontally and vertically.

The use of value judgements in conjunction with the analysis of data, is an important part of the decision-making by every municipal council which prepares an official plan. The Commission's decision-making is no different.

iii Private ownership of land is not a reasonable criterion for deciding which lands should be considered "land in its vicinity". As directed by the Act, it is the environmental importance of an area, not who owns it, that is significant.

d) Natural Environment.

In view of the hearing officers' narrow definition of the Escarpment and their approach to "land in its vicinity," it is not surprising that they also seem to object to the Commission's definition of "natural environment" because of "its subjective nature". (p.30). They do not make clear, however, what they consider subjective in the definition, nor do they provide an alternative definition. We can infer from some of their specific recommendations, that the natural environment to them means the visible scarp, hazard land and unbuildable lands. (See recommendation 9 and discussion on pp. 56 & 57).

Such a definition of "natural environment" is unreasonably narrow and clearly not in keeping with the intent of the Government's 1973 Policy Statement for the Escarpment (pp. 1 & 35) or Sections 2 and 8 of the Act.

The Commission's definition, as presented in NEC 6, stresses that the natural environment contains visible features (e.g. scarp, trees, wildlife, rivers, rural landscape, farmland) and natural processes which are invisible (e.g. water infiltration, microclimatic effects) all of which are interdependent and equally important.

Given this definition of "natural environment," the land in the vicinity of those physical features which the public sees as the Escarpment is just as important to plan for as the physical feature itself. One example of the interrelationship between land in the vicinity and the physical Escarpment feature is the surface streams and ground water systems with a direct influence on the Escarpment, although having their headwaters and recharge areas some distance away from the actual rock face or Escarpment slope.

"Escarpment", "Land in its Vicinity" and "Natural Environment" are linked environmentally and have been treated as such by the Commission. The wording of the purpose of the Act dictates such an approach. By using a different approach, the hearing officers have made recommendations which appear to be in conflict with the purpose and the objectives of the Act.

Conclusions.

Based on our review of the hearing officers' report, particularly the general discussions in volume one, we have drawn the following conclusions:

1. They did not adopt the important objective of seeking a balance between municipal interests and broader public interests (the provincial interest). Consequently, their report is weighted too heavily in favour of municipal interests. This is contrary to the intent of the Government's 1973 Policy Statement and the Act.

2. They did not accept the environmental planning concepts on which the Commission based the Proposed Plan. As a result, they substituted for these concepts, the more familiar planning approaches used by local municipalities in preparing official plans and zoning by-laws.

   This is understandable given the hearing officers' background as Ontario Municipal Board members, accustomed to dealing with official plans, zoning by-laws, consents and subdivisions under The Planning Act. At the start of the Niagara Escarpment planning exercise, both the Commission and its staff were in a similar position. As a result, their first draft plan, the Preliminary Proposals, was like a large-scale official plan. Based on the many critical comments made on that document, the Commission eventually produced the Proposed Plan which is based on an environmental planning approach. Unlike the hearing officers, the Commission and staff had five years in which to concentrate on learning and applying this new planning approach which the Act requires.

Conventional municipal planning practices carried out under The Planning Act, should not be the basis for the evaluation of the Niagara Escarpment Proposed Plan.

HEARING OFFICERS' RECOMMENDATIONS

Guided by the foregoing analysis and conclusions, we have dealt in the following pages with the hearing officers' recommendations. Page numbers listed after the headings refer to the officers' report. Where the Commission has not accepted the hearing officers' recommendation, its reasons are given.

General Recommendations.

Hearing Officers' Recommendation No. 1 Page 89

That the Plan be accepted as modified by the General Recommendations elsewhere in this Report and by the specific recommendations set out in certain Submissions numbered 1 to 743 inclusive.

Niagara Escarpment Commission Recommendation: ACCEPT WITH MODIFICATIONS.

Reasons:

The Commission has recommended that some of the hearing officers' general and specific recommendations be rejected or accepted with modifications.

Hearing Officers' Recommendation No. 2 Page 12

That Part I of the Proposed Plan become an appendix to the Plan and not form part of the Plan.

Niagara Escarpment Commission Recommendation: ACCEPT WITH MODIFICATIONS.

Reasons:
Rather than an appendix, Part I is more appropriately an Introduction to the Plan and need not form part of the Proposed Plan.

Hearing Officers' Recommendation No. 3 Page 13

That Part 6 of the Proposed Plan become Part I and be made part of the Plan.

Niagara Escarpment Commission Recommendation: ACCEPT.

Agriculture

Hearing Officers' Recommendation No.4 Page 35

That wherever the Proposed Plan places emphasis on certain land uses as compared with others that such emphasis be removed.

Niagara Escarpment Commission Recommendation: ACCEPT.

Hearing Officers' Recommendation No. 5 Page 37

That it be made clear in the Proposed Plan that all development adjacent to operating farms must be compatible with the farming operation and not the reverse.

Niagara Escarpment Commission Recommendation: ACCEPT WITH MODIFICATION.

Reasons:

Provincial policy as expressed through the Food Land Guidelines and Agricultural Code of Practice provides for compatibility to work both ways between agricultural and adjacent non-agricultural uses. The appropriate rewording in the Proposed Plan can satisfy the hearing officers' concern and still comply with provincial policy.

Mineral Resource Areas

Hearing Officers' Recommendation No. 6 Page 44

> That High Priority Mineral Resource Areas as identified by the Ministry of Natural Resources be included as part of the Proposed Plan and that this be done preferably by means of "overlays" to the Maps that form part of the Proposed Plan.

Niagara Escarpment Commission Recommendation: ACCEPT WITH MODIFICATION.

Reasons:

1. In recommending overlays, the hearing officers' purpose seemed to be to make sure that the Plan will include information on high priority mineral resource areas.

We agree with this purpose, but think it wiser to provide the information by including the High Priority Mineral Resource Areas Maps as an appendix in the Niagara Escarpment Plan. Experience with the overlay technique in the Preliminary Proposals showed that the public found it very confusing.

2. The term "High Priority Mineral Resource Areas" should be replaced by "High Potential Mineral Aggregate Resource Areas" to reflect the most up-to-date usage of the Ministry of Natural Resources..

Hearing Officers' Recommendation No. 23 **Page 67**

That the paragraph in blue type under the Mineral Resource Areas section be deleted and replaced with the following:

Mineral Resource Areas include Extraction Areas and areas of High Priority Mineral Resources. The designated Extraction Areas are areas licensed pursuant to The Pits and Quarries Control Act and four areas which were in the process of being licensed.

Niagara Escarpment Commission Recommendation: ACCEPT WITH MODIFICATION.

Reasons:

1. To be consistent with the suggested modification to Hearing Officers' Recommendation No. 6 above, the blue type should refer to the identification of High Potential Mineral Aggregate Resource Areas in an appendix to the plan.

2. The reference to the "four areas" should be deleted since all but the Cheltenham Brick Works are likely to be licensed by the time the Plan is approved.

The revised preamble to the Mineral Resources Areas section would, therefore, read as follows:

The Mineral Resource Area designation includes existing and approved extraction areas.

In addition to designated Mineral Resource Areas, areas of high potential for mineral aggregate resources are identified by way of a map in an appendix to the Plan.

Hearing Officers' Recommendation No. 24 Page 67

That objectives No. 1 and 2 under the Mineral Resource Areas section be deleted and replaced with the following:

1. To designate Mineral Resource Extraction Areas.

2. To designate High Priority Mineral Resource Areas (which is done by means of overlays which form part of the Plan).

Niagara Escarpment Commission Recommendation: ACCEPT WITH MODIFICATION

Reason:

In keeping with the suggested modifications to Recommendations Nos. 6 and 23, Objective 1 should read, "To designate licensed Mineral Resource Areas" and Objective 2 has been incorporated in the preamble and as a map appendix to the Plan.

Hearing Officers' Recommendation No. 25 Page 68

That the section covering "Existing Licensed Areas" under Mineral Resource Areas be deleted.

Niagara Escarpment Commission Recommendation: ACCEPT.

Development Control.

Hearing Officers' Recommendation No. 7 Page 51

That the Proposed Plan when finalized be implemented at the local level by Zoning By-laws including provision for site plan control pursuant to the provisions of The Planning Act.

Niagara Escarpment Commission Recommendation: REJECT.

Reasons:

1. The hearing officers' report criticized the Development Control system administered by the Commission as follows:
    - (a) Applicants are not aware of all conditions prior to submission;
    - (b) No natural scientists review the application;
    - (c) Decision-making is arbitrary;
    - (d) It is contrary to natural justice;
    - (e) It is a misuse of power;
    - (f) Only successful applicants like it.

(a) Conditions

A system of zoning and site plan control is recommended by the hearing officers instead of development control. The basic difference between the Niagara Escarpment development control system and zoning is that through the permit system a development proposal is made suitable to the site, whereas through zoning the site is made suitable to the development. That is why, through the permit process, conditions of approval cannot be known prior to review because each site is unique and the physical diversity of the Escarpment is recognized.

The report implies that because 90% of applications are approved, the process is ineffective. This reflects a common misunderstanding of the relationship between "policy" and "implementation". Under The Planning Act, it is the official plan which determines what the appropriate land use should be. The zoning by-law is only the implementing instrument of the official plan and can give no authority for development that the official plan does not grant. The Niagara Escarpment development control system also follows this planning principle since it is the implementing instrument of the Proposed Plan and merely outlines a process by which development can be reviewed. A high approval rate, far from demonstrating ineffectiveness, indicates that the Proposed Plan permits a reasonable amount of compatible development.

(b) No Natural Scientists

Development control planners do not have to be natural scientists. Each application is circulated to the appropriate agencies for their recommendations. The Ministry of Natural Resources, the Ministry of the Environment, the conservation authorities, the municipality or any other agencies which may have an interest in the site are asked for their contribution in shaping the final outcome of an application. In this way, a broad range of interests can be considered by the natural scientists who work for these agencies and ministries. Such expertise does not have to be duplicated within the Commission at great cost to the taxpayer. When development control is delegated to counties and regions, as authorized by The Niagara Escarpment Planning and Development Act, natural scientists will not have to be duplicated there either.

(c) Arbitrariness

The two examples of arbitrariness cited - Sherman Sand & Gravel Limited and Don W. Cave - rather than demonstrating arbitrariness show some of the strengths of the process. In the case of Sherman Sand & Gravel Limited, an asphalt plant, which is a permitted use in the Proposed Plan, was not approved. Any permitted use, located in any of the Proposed Plan designations, may not occur as a right. It must satisfy the development criteria just as a permitted use in a zoning by-law must satisfy the appropriate development standards.

For example, in a zoning by-law, if a permitted use was proposed which did not satisfy standards such as lot coverage, setbacks or height requirements, it would not be given a building permit. The Sherman application did not meet the requirements of the Proposed Plan because of its potential negative effects both on-site and off-site. Don W. Cave, the second case, involved the approval of a Personal Development Centre in an existing building which had been approved by the Commission prior to the release of the Proposed Plan in an earlier application. Therefore, even though it was not listed as a specific permitted use, the Commission had made a commitment by approving the earlier application. By satisfying development criteria, approval was possible.

(d) and (e) Denial of Natural Justice and Misuse of Power

The report dwells upon the earlier workings of the development control procedure and describes it as a denial of natural justice. The permit system is a pioneer effort in Ontario and many lessons had to be learned. It must be emphasized, however, that even in the early days the Commission's procedure was considered by its legal counsel to be legally correct and not a denial of justice.

For the last number of years, Commission meetings have been open to the public and press. Applicants are advised of the staff recommendation and are invited to address the Commission. In all cases the decision of the Commission is appealable by the applicant, consulted agencies and neighbours within a 400 feet radius of the property in question. Hearings, held by Hearing Officers of the Ministry of Municipal Affairs and Housing, unlike Ontario Municipal Board hearings, occur rapidly, are much more informal; and legal counsel is rarely even necessary. All interests are now served in the permit system.

The openess of the system, combined with the ease and informality of the appeal process makes the system much more desirable than the zoning system of The Planning Act. "Misuse of power" is a criticism frequently aimed at the subdivider's agreement and the development agreements required under the site plan control provisions of The Planning Act. The Report of The Planning Act Review Committee referred to this as "blackmail". This possible misuse of municipal power is prevented under the Niagara Escarpment development control system because the requirement for and the content of agreements or conditions are appealable.

(f) Those in favour of Development Control

Only those who received approvals or had no direct interest in the land were cited as being in favour of the permit system. This observation of the hearing officers brushes aside the provincial position established in the 1973 Policy Statement on the Niagara Escarpment which emphatically supported the permit system because zoning was not capable of dealing with environmental matters. In addition, at the Proposed Plan hearings, development control was supported by the Canadian Institute of Planners (C.I.P.), the Association of Counties and Regions (ACRO), six of the eight counties and regions within the area of the Proposed Plan, the County and Region Advisory Committee and the Interest Groups Advisory Committee.

The hearing officers' report recognizes the value of Niagara Escarpment development criteria by recommending that much of the development criteria be recognized as guidelines for the creation of zoning by-laws. The report also recognizes the value of site plan control in reviewing development applications. Unfortunately the site planning provisions of The Planning Act, as recommended by the hearing officers, have a narrow scope and are limited when dealing with environmental matters. This is not the case under The Niagara Escarpment Planning and Development Act. The Planning Act has a long distance to travel before its scope is able to deal with environmental matters with the same ease that it deals with development matters.

After eight years of experience and refinement, representatives of the municipalities affected are convinced that the permit system is the best land use control method to use to implement the Act's purpose of permitting only development compatible with the natural environment in the Escarpment area.

2. In recommending Zoning and Site Plan Control, under The Planning Act, the hearing officer's report has overlooked a number of drawbacks that the zoning process contains.

a) Jurisdiction

The Niagara Escarpment Planning and Development Act intends that the development control function may become the responsibility of upper-tier municipalities. The Act currently provides for the delegation of the development control function to counties, regions and cities outside of regions; and delegation below that level to local municipalities was never contemplated. Zoning, on the other hand, is a local matter. Instead of possibly twelve municipal bodies ultimately administering development control, more than forty would be responsible for administering zoning if the hearing officers' recommendation was accepted. The difficulty in monitoring the implementation of the Niagara Escarpment Plan would be significantly increased.

The new Planning Act makes provision for upper-tier municipalities to assume the planning responsibility of local municipalities under whatever terms and conditions the local municipality determines appropriate. It is considered unlikely that local municipalities would give up the zoning authority to county or regional governments on a consistent basis, consequently serious fragmentation of decision making would be created.

b) Types of By-laws

The Niagara Escarpment Proposed Plan emphasizes planning for the protection of the Escarpment rather than its development. Consequently, the Proposed Plan for the Niagara Escarpment contains policies and criteria by which development proposals are evaluated. The criteria are broad ranging and include the evaluation of the effect upon water quality, forests, ravines, wetland, agriculture, heritage, recreation, etc. Since a zoning by-law by its nature must contain precise "up-front" standards it would be a difficult, if not an impossible undertaking, to translate these criteria into specific zone standards which would be sensitive to the environmental diversity of the Escarpment.

The Planning Act recognizes many different forms of zoning by-laws. The most traditional form of zoning is pre-zoning. In the Niagara Escarpment context, that means deciding beforehand how each parcel of land in the 740 square-mile area could ultimately be developed. The size of such an undertaking is immense and impractical. The alternative is to make use of a holding by-law or of a "holding zone", or an "existing-use zone" in a comprehensive by-law. When anyone wishes to develop, a rezoning to the desired use would be necessary. Each application would necessarily be reviewed on its merits. Such a practice would decrease "certainty" to the land-owner, increase delays and costs resulting from potential Ontario Municipal Board hearings and would support the Planning Act Review Committee's contention that "... the idea that a pure zoning system contains more certainty and objectivity is, in our opinion, a myth".

c) Bonaventure Farm Zoning By-law.

To assist the hearing officers in their deliberations on development control versus zoning, the Commission undertook a pilot project to determine how zoning could accommodate Niagara Escarpment's environmental needs.

A zoning by-law was prepared for "Bonaventure Farm", a proposed rural estate subdivision in the Town of Caledon. Legal advice was provided by the Ministry of Municipal Affairs and Housing. The draft Bonaventure Farm by-law was submitted to the hearing officers during the hearings.

Although not specifically a comparison between the development control and zoning systems, the submission showed clearly how much a zoning by-law had to be supplemented to achieve the kind of results provided by the Development Control system, to achieve maximum protection of the site.

Based on a detailed study of the Bonaventure Farm site and the legal advice of the Ministry of Municipal Affairs and Housing, the submission concluded that to permit development while achieving maximum environmental protection of the site through zoning, the following were needed:

a) prezoning of the site to delineate construction areas;
b) site development agreements for each lot under section 40 of the Planning Act;
c) restrictive covenants to ensure preservation of trees; and
d) subdivision agreement provisions to prohibit grade adjustments in areas of steep slopes.

All of these cumbersome protective measures are now provided by the relatively simple Niagara Escarpment Development Control process through the issuance of a Development Permit subject to appropriate conditions to ensure environmental protection.

If the goal, therefore, is to protect the Niagara Escarpment, zoning is a poor substitute for the Development Control system which is designed for the purpose.

d) Site Plan Control

The Hearing Officers' report, without any discussion, has recommended site plan control in addition to zoning.

i) Urban Oriented

Site plan control of The Planning Act is an urban oriented tool. This is clear from the Ministry of Municipal Affairs and Housing's Publication "Site Plan Control - An Explanation" where it states that:

> "It is not expected that every municipality that qualifies would use site plan control. In areas where the majority of development is carried out by severances or detailed plans of subdivision, this type of control may not be required. In certain cases, however, municipalities may wish to utilize this control on certain specific developments (i.e. commercial uses in a downtown area where a redevelopment scheme is in effect, shopping centre developments etc.). Access to architectural advice is highly desirable, particularly with respect to complex or large scale developments.
>
> Since the implementation of site plan control requires administrative and technical expertise, it is important for a municipality to consider whether they have the resources to operate a site plan control system before enacting a 35a by-law."

ii) Narrow Scope

In addition, site plan control cannot deal with many ecological, scenic or cultural components which are of crucial importance in the implementation of the Niagara Escarpment Plan. For example, it cannot control tree cutting or grade changes unless such practices are associated with a proposed development. It cannot deal with golf courses, the establishment of trails or ski runs, the construction of ponds, damming or diversions of streams, dredging of wetlands, removal of sod, archaeological activities, transportation and utilities, gravel pits, the protection of historical buildings, or demolition. Such activities are not considered "development" since development, according to The Planning Act (Section 40) means "the construction, erection or placing of one or more buildings or structures on land or the making of an addition or alteration to a building or structure that has the effect of substantially increasing the size or usability thereof, or the laying out and establishment of a commercial parking lot, or of sites for the location of three or more trailers..." (Definition).

Unless these types of activities are controlled, serious impact on the natural environment of the Niagara Escarpment could result. Consequently the range of matters to be considered in a site plan control by-law is inadequate for the Niagara Escarpment Plan's purposes.

iii) Lack of Certainty.

There are few site specific standards that can be established for different areas prior to an application. Rather, standards are established through a site analysis and negotiations with the applicant. Indeed, there is no guarantee that all matters listed in Section 40 of thE Planning Act are even applicable in each circumstance.

Since precise site specific standards cannot be established in advance, particularly for an area as varied as the Niagara Escarpment, there is no way that the hearing officers' desire for "certainty" could be satisfied in the site plan control process.

iv) Potential Misuse of Power.

The administration of site plan control also causes some concern. Decisions on development proposals could be made by one person - an officer appointed by the municipality. Where one person has the decision-making power, it may be less representative of the public than when decisions are made by the Niagara Escarpment Commission or a municipal council. Public accountability is decreased and the potential for the misuse of power is increased.

v) Limited Notification.

Notification of decisions on development permit applications is required under The Niagara Escarpment Planning and Development Act. The Commission has received criticism because this notice provision is considered by some to be too broad. The Act specifies a 400 foot notice provision. The Commission believes there is a real need to allow for broad public reaction at the Development Permit stage. The Planning Act's site plan control decisions are not appealable by adjoining property owners. They have no recourse should they object to the location, the conditions imposed, or feel their interests are not protected. Only the applicant may appeal the decision. It is the Commission's experience that the majority of appeals centre around the details of development rather than the proposed use itself. However, adjacent property owners have no appeal rights under site planning control of The Planning Act.

This comparison of the development control system of The Niagara Escarpment Planning and Development Act and the site plan control system of The Planning Act illustrates that the interest of the public and the Niagara Escarpment is better served by the development control process.

Conclusion

The hearing officers relied upon the Planning Act Review Committee's recommendations on development control to confirm their opinions. The permit system on the Niagara Escarpment is not a copy of the British development control system and is applied with a simplicity and promptness unheard of in Britain. In retrospect, it is unfortunate that the term "development control" has been used to describe the Commission's activities related to its mandate of ensuring that only development compatible with the natural environment occurs on the Niagara Escarpment. It may be true that conventional development control systems patterned after the British experience have the alleged shortcomings referred to by the hearing officers. However, based on a comprehensive understanding of the permit system used on the Niagara Escarpment and the record of the Commission in issuing permits, the conclusions of the hearing officers are unsupported.

The Commission, therefore, is of the opinion that the phrase Niagara Escarpment Permit, rather than the phrase development permit, should be used to describe the prerequisite to development within the Niagara Escarpment Plan Area and that the words "development control" and "development permit" be stricken from The Niagara Escarpment Planning and Development Act accordingly.

Land Use Policies

2.1 Introduction

Hearing Officers' Recommendation No. 8 Page 55

That a new paragraph be added to Section 2.1 to provide for the possibility that a boundary line may be moved in conformity with site specific information without the necessity of an amendment to the Proposed Plan.

Niagara Escarpment Commission Recommendation: ACCEPT.

2.2 Escarpment Natural Areas

Hearing Officers' Recommendation No. 9 Page 56

That Section 2.2 under the heading "Permitted Uses" be amended to delete all the words after the word "dwellings" in subsection 3 so that this subsection will now read as follows:

3. Single family dwellings.

Niagara Escarpment Commission Recommendation: ACCEPT.

Hearing Officers' Recommendation No. 10 Page 57

That Section 2.2 be modified to provide for the creation of new lots in Escarpment Natural Areas, and the word "only" be removed from the "New Lots" subsection as written.

Niagara Escarpment Commission Recommendation: ACCEPT WITH MODIFICATIONS.

Reasons:

1. The following additions to the "New Lots" subsection will permit the creation of more new lots:

a) Severances may be permitted along original township lot lines (including the original lots in the Town Plot of Brooke) and along original township one-half lot lines where the original township lot is 80 ha (200 ac.)

b) In addition, where no lots have ever been severed, a retiring bona fide farmer may sever a maximum of one lot for a permitted use per original township lot (generally 40 hectares) or half-lot (where the original township lot is 80 ha).

2.3 Escarpment Protection Areas

Hearing Officers Recommendation No. 11 Page 58

> "That a new subsection be added under "New Lots" in Section 2.3, Escarpment Protection Areas, similar to No. 3 under Escarpment Rural Areas (Section 2.4).

Niagara Escarpment Commission Recommendation: ACCEPT WITH MODIFICATIONS.

Reasons:

1. As the name implies, Escarpment Protection Areas are meant to act as a buffer to Escarpment Natural Areas. They are important because of their visual prominence and environmental significance. The amount and type of development permitted in such buffer areas, therefore, must satisfy the goal and objectives of the designation. The goal is to maintain the remaining natural features and their open rural landscape quality. The relevant objective is: "to maintain and enhance the open landscape of rural areas".

Given the purpose and objective of the designation, it is essential that new development such as subdivisions, which in the long term would have a significant environmental and visual impact, should be excluded.

2. The environmental planning approach used by the Commission placed the natural environment of the Niagara Escarpment and land in its vicinity in three main designations ranging from areas least disturbed by man (Escarpment Natural) to areas most disturbed by man (Escarpment Rural). In partially disturbed areas (Escarpment Protection), the Commission considered it essential to protect whatever is still undisturbed rather than encourage further disturbance by man. Escarpment Protection Areas include Escarpment slopes, and natural areas considered by the Ministry of Natural Resources to be of regional significance.

Permitting plans of subdivisions in such areas would in the long term make them no different from Escarpment Rural Areas.

3. The Escarpment Protection designation does permit the creation of new lots, but by consents. In addition, however, it also permits the development of all vacant lots which exist legally at the time of the Niagara Escarpment Plan is approved . As of 1978, there were 2,190 existing vacant lots in scattered locations in the Escarpment Protection Area designation.

To add plans of subdivision to what is already permitted would result in a density and pattern of development directly in conflict with the goal and objectives of the designation and objective 8(d) of the Act. Objective 8(d) is as follows:

> (d)"to maintain and enhance the open landscape character of the Niagara Escarpment in so far as possible, by such means as compatible farming or forestry and by preserving the natural scenery."

4. To satisfy the hearing officers' concern partially, and still maintain the objectives of the Escarpment Protection designation, an additional severance should be permitted for a retiring bona fide farmer for a permitted use, thus increasing the number of new lots permitted from one to two per original township lot (generally 40 ha) or half-lot (where the original township lot is 80 ha).

2.4 Escarpment Rural Areas

Hearing Officers' Recommendation No. 12 Page 59

> That the word "compatible" be deleted from Objective No. 3 in Section 2.4, Escarpment Rural Areas.

Niagara Escarpment Commission Recommendation: ACCEPT.

In keeping with the decisions on recommendation 11 and 36, an additional severance should be permitted in the Escarpment Rural designation for a retiring bona fide farmer for a permitted use, thus increasing the number of new lots permitted from two to three per original township lot (generally 40 ha), or original half-lot (where the original township lot is 80 ha).

2.5 Minor Urban Centres

Hearing Officers' Recommendation No. 13 Page 60

> That Section 2.5, Minor Urban Centres, be modified by adding a new subsection 7 indicating that nothing contained in these objectives will prevent the expansion of a Minor Urban Centre into either Escarpment Natural or Escarpment Protection Areas providing the proper requirements can be met which, among other things would not allow for any extension into hazard or unbuildable lands.

Niagara Escarpment Commission Recommendation: ACCEPT WITH MODIFICATIONS.

Reasons:

1. The recommended subsection 7 states more explicitly the intent of Objective No. 1. To avoid confusion, and still satisfy the hearing officers' recommendation, their subsection and Objective 1 should be merged.

2. The concern with proper requirements, hazard or unbuildable lands is addressed under existing Objective 6.

2.6 Urban Centres

Hearing Officers' Recommendation No. 14 Page 61

That all Sections under section 2.6 be combined into a new single section to read as follows:

Urban Centres
This designation identifies Urban Centres in which the Escarpment and closely-related lands are located. In some centres (e.g. Hamilton) the Escarpment is still largely undeveloped, although surrounded by existing development. In other centres, however, (e.g. Wiarton), urban growth already has encroached substantially on the Escarpment.

Objective
To minimize the impact of urban growth on the Escarpment environment.

Criterion for Designation
Urban development and committed urban areas on or adjacent to the Escarpment as provided for in an approved municipal official plan and/or secondary plan.

Urban Centres
City of St. Catharines
City of Thorold
Town of Grimsby
Town of Stoney Creek
Town of Ancaster
City of Hamilton
Township of Flamborough
Town of Dundas

City of Owen Sound
Township of Derby
Town of Wiarton
Village of Lion's Head

Boundaries

The Urban Centre designation is shown in pink on the Proposed Plan maps. The boundaries of the Urban Centre designation generally reflect those established in an approved municipal official plan and/or secondary plan. Any changes to the boundaries would require an amendment to the Niagara Escarpment Plan.

Permitted Uses and New Lots

The range of permitted uses and the creation of new lots, where applicable, will be subject to the growth objectives set out below as incorporated into approved local official plans and by-laws.

Growth Objectives

1. All development should be of an urban design compatible with the visual and natural environment of the Escarpment. Where appropriate, the provision for adequate setbacks and screening should be required to minimize the visual impact of urban development on the Escarpment landscape.
2. New lots should not be created to include the Escarpment brow, face or slope where such is in an Escarpment Natural or Escarpment Protection Area designation, except where such lot creation is for the purpose of correcting conveyances, enlarging existing lots or through acquisition by a public body.
3. Adequate public access to the Escarpment should be provided by means of walkways or pedestrian trails.
4. All development should be compatible with the conservation, protection and restoration of the communities' historical character and archaeological sites, and buildings and sites of architectural and/or historical interest, in accordance with Development Criteria 2.9.8.

5. Special attention should be given to the protection and restoration of the historical character of the former Village of Waterdown through the provisions of the Ontario Heritage Act.
6. Growth should be compatible with the protection and conservation of unique ecologic areas, wildlife habitats, streams and water supplies and other environmentally sensitive areas both inside and adjacent to Urban Centres.

Niagara Escarpment Commission Recommendation: ACCEPT WITH **MODIFICATION.**

Reasons:
A few minor changes will reflect more accurately the intent of the policy.

Hearing Officers' Recommendation No. 15 **Page 64**

That a No. 7 be added to the "Growth Objectives" under the new Urban Centres section to indicate that nothing contained in these growth objectives will prevent the creation of a lot for development purposes from extending into an Escarpment Natural Area or Escarpment Protection Area providing the proper requirements can be met which among other things would not allow for any extension into hazard or unbuildable lands.

Niagara Escarpment Commission Recommendation: ACCEPT WITH **MODIFICATION.**

Reason:
Proposed Objective No. 7 could conflict with existing Objective 2. To avoid this, the intent of Objective 7 can be incorporated into Objective 2 through an appropriate rewording. This rewording will state explicitly that new lots may extend in Escarpment Natural and Escarpment Protection Areas provided that there is sufficient area within the Urban Area designation to accommodate the proposed development.

2.7 Escarpment Recreation Areas

Hearing Officers' Recommendation No. 16 **Page 65**

That the section in blue print under 2.7, Escarpment Recreation Areas, be amended to indicate the fact that there are more areas designated as Escarpment Recreation Areas than just those of major existing recreational areas.

Niagara Escarpment Commission Recommendation: ACCEPT.

Hearing Officers' Recommendation No. 17 **Page 65**

That Objective No. 4 under Escarpment Recreation Areas be amended by deleting all the words after "Areas" so that No. 4 will read:

4. To provide for the development of new ski centres or other recreational areas.

Niagara Escarpment Commission Recommendation: ACCEPT.

Hearing Officers' Recommendation No. 18 **Page 65**

That Objective No. 5 under Escarpment Recreation Areas be deleted. (This follows from our recommendation in Submission 489 to delete the area in which the mouth of Jordan Harbour is located.)

Niagara Escarpment Commission Recommendation: ACCEPT.

Hearing Officers' Recommendation No. 19 Page 65

That Criteria for Designation, No. 1 and No. 2, under Escarpment Recreation Areas be amended to include the fact that more than established areas are included.

Niagara Escarpment Commission Recommendation: ACCEPT.

Hearing Officers' Recommendation No. 20 Page 65

That all names of locations and specific sites under Criteria for Designations, No 1 and No. 2, in Escarpment Recreation Areas be deleted.

Niagara Escarpment Commission Recommendation: ACCEPT.

Hearing Officers' Recommendation No. 21. Page 66

That Criteria No. 4 under Escarpment Recreation be deleted.
(This follows from our Recommendation in Submission 489 to delete the area in which the mouth of Jordan Harbour is located.)

Niagara Escarpment Commission Recommendation: ACCEPT.

Hearing Officers' Recommendation No. 22 Page 66

That subsection No. 5 under "Permitted Uses" in Escarpment Recreational Areas be deleted.
(This follows from our recommendation in Submission 489 to delete the area in which Jordan Harbour is located.)

Niagara Escarpment Commission Recommendation: ACCEPT.

2.9 Development Criteria

Hearing Officers' Recommendation No. 26 **Page 68**

> That Section 2.9, Development Criteria, be removed in its entirety from the Proposed Plan and any and all references to Section 2.9 in the Plan should also be deleted.

Niagara Escarpment Commission Recommendation: REJECT.

Reasons:

1. See Niagara Escarpment Commission recommendation on the Hearing Officers' Recommendation No. 7 (Development Control).
2. The removal of the last sentence should satisfy the concern about "additional criteria".

2.9.1 Existing Uses

Hearing Officers' Recommendation No. 27 **Page 69**

> That the heading in blue print under Existing Uses (Section 2.9.1) be amended to read as follows:
> The objective is generally not to disrupt existing uses.

Niagara Escarpment Commission Recommendation: ACCEPT.

Hearing Officers' Recommendation No. 28 **Page 69**

> That No. 1 under the heading "Existing Uses", Section 2.9.1, be deleted.

Niagara Escarpment Commission Recommendation: ACCEPT.

2.9.2 Development on Existing Lots

Hearing Officers' Recommendation No. 29 **Page 70**

> That Sections (a) and (b) under Section I of Section 2.9.2 be deleted.

Niagara Escarpment Commission Recommendation: ACCEPT WITH MODIFICATION.

Reason:
The replacement of the two sections with more specific requirements should satisfy the hearing officers' concern about a landowner not being able to determine what requirements would have to be met.

Hearing Officers' Recommendation No. 30 **Page 70**

> That reference to the Land Compensation Board be deleted from Section 2.9.2, Development on Existing Lots.

Niagara Escarpment Commission Recommendation: REJECT.

Reasons: The hearing officers recommended the deletion because they did not think that the Land Compensation Board could determine fair market value without conducting a hearing arising from expropriation. The new Planning Act (subsection 50(9)) clearly indicates that the expertise of the Land Compensation Board can be used to determine the value of land without The Expropriation Act being involved.

Hearing Officers' Recommendation No. 31 **Page 70**

> That the length of time in which the decision to purchase or not, be reduced to six months in Section 2.9.2, Development on Existing Lots.

Niagara Escarpment Commission Recommendation: ACCEPT.

2.9.3 Lot Creation

Hearing Officers' Recommendation No. 32 Page 70

That Part 6 under Section 2.9.3, Lot Creation, be amended to read as follows:

6. In Escarpment Rural Areas and Escarpment Protection Areas, new lots may be created by a limited number of low density rural plans of subdivision or condominium as may be provided for in local official plans.

Niagara Escarpment Commission Recommendation: REJECT.

Reasons: See Niagara Escarpment Commission recommendation on the Hearing Officers' Recommendation No. 11.

Hearing Officers' Recommendation No. 33 Page 71

That subject to the immediately preceding recommendation the balance of Part 6 under 2.9.3 be deleted.

Niagara Escarpment Commission Recommendation: ACCEPT WITH MODIFICATION.

Reason:

Some of the criteria in Part 2.9.3 subsection 6 are meant to be used directly by the Niagara Escarpment Commission in its review of subdivision plans. These criteria are very important in the Escarpment setting and go beyond the provisions normally considered by the Ministry of Municipal Affairs and Housing or a regional municipality or county in the evaluation of a subdivision plan under The Planning Act.

Therefore, the Commission recommends that only the sentence referring to the Ministry of Housing be deleted.

2.9.4 New Development Adjacent to Streams, Lakes and Wetlands Page 71

2.9.5	New Development Adjacent to Ravines	Page 71
2.9.6	New Development Within Wooded Areas	Page 71

Hearing Officers' Recommendation No. 34 **Page 71**

That Section 2.9.4; 2.9.5; and 2.9.6 be accepted as written but that it be made clear that these sections are intended to be for establishing guidelines for the preparation of zoning by-laws.

Niagara Escarpment Commission Recommendation: NONE.

Reasons:

See Niagara Escarpment Commission recommendation on the Hearing Officers' Recommendation No. 7 (Development Control).

2.9.7 Agriculture

Hearing Officers' Recommendation No. 35 **Page 71**

That item No. 2 under Section 2.9.7, Agriculture, be deleted.

Niagara Escarpment Commission Recommendation: ACCEPT.

Hearing Officers' Recommendation No. 36 **Page** 72

That a new subsection be added to Section 2.9.7, Agriculture, to permit the possibility of a retirement lot for a farmer being created subject to the Food Land Guidelines and to the provisions of existing local official plans.

Niagara Escarpment Commission Recommendation: ACCEPT WITH MODIFICATION.

Reason:
To eliminate potential conflicts between the intent of this policy and the Food Land Guidelines, the reference to the latter should be deleted.

2.9.8 Heritage

Hearing Officers' Recommendation No. 37 Page 72

> That it be pointed out and made clear that Section 2.9.8 (Heritage) is intended to be for the purpose of establishing guidelines for the preparation of the necessary implementing zoning by-laws.

Niagara Escarpment Commission Recommendation: NONE.

Reasons:
1. See Niagara Escarpment Commission recommendation on the Hearing Officers' Recommendation No. 7 (Development Control).
2. It is difficult to see how the heritage criteria can be reflected in specific standards in a zoning by-law.

2.9.9 Forest Management

Hearing Officers' Recommendation No. 38 Page 73

> That provision be made in Section 2.9.9, Forest Management, that approval for commercial cutting will not be unreasonably withheld where it can be shown that such cutting meets with the standards set by the Ministry of Natural Resources.

Niagara Escarpment Commission Recommendation: ACCEPT.

Hearing Officers' Recommendation No. 39 Page 73

That subsection 3 of Section 2.9.9, Forest Management, be amended to read as follows:

3. All public authorities shall submit details of tree cutting plans to the Ministry of Natural Resources for approval before entering into any agreement involving the cutting of trees.

Niagara Escarpment Commission Recommendation: ACCEPT.

Hearing Officers' Recommendation No. 40 Page 73

That subsection 6 of Section 2.9.9, Forest Management, be deleted.

Niagara Escarpment Commission Recommendation: REJECT.

Reason:

A basic premise of the Proposed Plan is that a local municipality should be able to be more restrictive and still conform with the Plan. See Niagara Escarpment Commission recommendation on the Hearing Officers' Recommendation No. 46.

2.9.10 Transportation and Utilities

Hearing Officers' Recommendation No. 41. Page 73

That Section 2.9.10, Transportation and Utilities, be accepted as written.

Niagara Escarpment Commission Recommendation: ACCEPT.

2.9.11 Recreation

Hearing Officers' Recommendation No. 42 Page 74

That No. 4 under 2.9.11, Recreation, be deleted and replaced with a new No. 4 and a No. 5 be added both to read as follows:

4. Snowmobile and other motorized vehicle trails will not be permitted in the Escarpment Natural designation, Escarpment Recreation Areas or on the Escarpment slopes in Urban Centre Areas.
5. In the remaining designations, snowmobile and other motorized vehicle trails will be designed and located so as not to adversely affect adjoining private landowners and the environment. Deer wintering yards and other important ecological areas and nature reserve zones in parks shall be avoided.

Niagara Escarpment Commission Recommendation: REJECT.

Reason: The Commission is of the opinion that snowmobile and other motorized vehicle trails can be permitted in the Escarpment Natural and Escarpment Protection Areas, provided that such trails satisfy the Plan's relevant development criteria.

2.9.12 Escarpment Recreation Areas

Hearing Officers' Recommendation No. 43 Page 74

> That Section 2.9.12, Escarpment Recreation Areas, be accepted as written.

Niagara Escarpment Commission Recommendation: ACCEPT.

2.9.13 Mineral Resources

Hearing Officers' Recommendation No. 44 Page 74

> That Section 2.9.13, Mineral Resources, be accepted as written.

Niagara Escarpment Commission Recommendation: ACCEPT.

2.10 Implementation of Land Use Policies

Hearing Officers' Recommendation No. 45 **Page 75**

> That Section 2.10, Implementation of Land Use Policies, be removed from the Plan.

Niagara Escarpment Commission Recommendation: ACCEPT.

2.10.1 Relationship to Local Official Plans

Hearing Officers' Recommendation No. 46 **Page 75**

> That Section 2.10.1, Relationship to Local Official Plans, be removed from the Plan.

Niagara Escarpment Commission Recommendation: REJECT.

Reasons:

1. The Commission's counsel submitted cogent arguments justifying the position that a local official plan or by-law can be in conformity with the Niagara Escarpment Plan by being more restrictive than the Niagara Escarpment Plan. This policy allows municipalities to provide for more restrictive or higher standards which may be preferred in local areas.

2. This type of provision was included in the Parkway Belt West Plan, approved by Cabinet in July 1978. Section 5.1.3 of that Plan is entitled "Municipal Actions," and the relevant part reads as follows:

> "Municipalities are not required to permit every land use that may be permitted under this Plan. By-laws implementing the Plan may be more restrictive than the provisions of the Plan, provided that they are consistent with its intent and purpose."

3. The hearing officers themselves seem to agree with this approach in their recommendation No. 36 (p. 72) which is based on a discussion (on pages 59 and 60) of retirement lots for farmers.

The following quote from page 60 is self-explanatory:

> "It could well be that the local official plan with respect to farm related severances may be more restrictive than ... the Plan...
>
> We have made a recommendation under Section 2.9.7... which we feel deals satisfactorily with this matter."

The recommendation referred to is No. 36 which would add a new section to 2.9.7 to permit the possible creation of a retirement lot for a farmer subject to... the provisions of the existing local official plans. This is precisely the intent of Part 2.10.1 which the hearing officers recommend for deletion.

2.10.2 Land Use Control - Implementation

Hearing Officers' Recommendation No. 47 **Page 75**

> That Section 2.10.2, Land Use Control - Implementation, be amended to conform with our recommendation that the Plan be implemented by local zoning by-laws.

Niagara Escarpment Commission Recommendation: REJECT.

Reasons:

See Niagara Escarpment Commission recommendation on the Hearing Officers' Recommendation No. 7 (Development Control).

2.10.3 Amendments to the Niagara Escarpment Plan

Hearing Officers' Recommendation No. 48 Page 76

That Section 2.10.3, Amendments to the Niagara Escarpment Plan, be deleted.

Niagara Escarpment Commission Recommendation: ACCEPT WITH MODIFICATION.

Reason:
The Commisson agrees that this matter is covered in the Act. However, the Commission recommends that more detailed policies and guidelines on Plan Amendments be included in the Implementation section of the Plan.

2.10.4 Review of the Niagara Escarpment Plan

Hearing Officers' Recommendation No. 49 Page 76

That Section 2.10.4, Review of the Niagara Escarpment Plan, be deleted.

Niagara Escarpment Commission Recommendation: ACCEPT WITH MODIFICATION.

Reason:
The Commission agrees that this matter is covered in the Act. However, the Commission recommends that more detailed policies and guidelines on Plan Review be included in the Implementation section of the Plan.

Escarpment Parks and Acquisition Policies

Hearing Officers' Recommendation No. 50 Page 78

That in Section 3.2, the Niagara Escarpment Parks System, the Niagara Parks Commission be recognized as one of the owners of land in the Niagara Escarpment Parks System.

Niagara Escarpment Commission Recommendation: ACCEPT.

Hearing Officers' Recommendation No. 51 **Page 78**

That reference to the "Ontario Parks Planning and Management Policies" be deleted from Section 3.2.1, Objectives.

Niagara Escarpment Commission Recommendation: ACCEPT.

Hearing Officers' Recommendation No. 52 **Page 78**

That Section 3.2.2, Organization, be amended as follows:
That the first sentence of this section be deleted.
That this section explain clearly that the Niagara Escarpment Parks System will consist of Parks managed by ten different agencies: eight conservation authorities, the Niagara Parks Commission, and the Ministry of Natural Resources, tied together by a common set of objectives and an overall set of policies and guidelines which are agreed to by all agencies involved.

That the administration of the Niagara Escarpment Parks System and the details of its set-up will be the subject of discussion between the Niagara Escarpment Commission, Ministry of Natural Resources, the conservation authorities, and Niagara Parks Commission, prior to the preparation of the final Plan.

Niagara Escarpment Commission Recommendation: ACCEPT.

Hearing Officers' Recommendation No. 53 **Page 79**

That Section 3.2.3, Park Classification, be deleted and replaced with a statement to the effect that a system of Park classification will be established by consultation and agreement between all the public park authorities concerned.

Niagara Escarpment Commission Recommendation: ACCEPT.

Hearing Officers' Recommendation No. 54 Page 80

That the necessary revisions be made to Section 3.2.4, (Guidelines for Park Master Plans) in the light of our recommendations for Sections 3.2; 3.2.1; 3.2.2 and 3.2.3.

Niagara Escarpment Commission Recommendation: ACCEPT.

Hearing Officers' Recommendation No. 55 Page 80

That Section 3.2.4 be further amended as follows:

1. That Guideline No. 1 be deleted.
2. That Guideline No. 2 be deleted and replaced with:
Park Master Plans should supercede land use designations of this plan wherever a conflict appears.
3. That this section be amended to provide that approved existing master plans be accepted in the initial stages.

Niagara Escarpment Commission Recommendation: ACCEPT.

Hearing Officers' Recommendation No. 56 Page 80

That Section 3.3, The Bruce Trail, be accepted as written.

Niagara Escarpment Commission Recommendation: ACCEPT.

Hearing Officers' Recommendation No. 57 Page 81

That Section 3.4, Future Acquisition, be amended to provide for a definite program for the timing of acquisition of those lands which will be designated in the Plan as finally approved and only after the affected owners have been so advised.

Niagara Escarpment Commission Recommendation: REJECT.

Reasons:

1. It is not possible to set a rigidly-timed acquisition program along the Escarpment since acquisitions are intended to occur only when landowners express a willingness to sell or donate their property to a public authority.

2. Consultation in 1982 with the various public park authorities as required, and accepted under the Hearing Officers' Recommendations Nos. 52 and 53, resulted in unanimous opposition by these authorities to specific acquisition priorities. Instead, acquisition areas should be listed by municipality in order that the flexibility necessary to allow purchase of suitable parklands as they become available during the five-year program is not constrained.

3. The owners of land within acquisition areas are already aware of their inclusion because of long-standing programs administered by the Ministry of Natural Resources and conservation authorities and the Five-Year Program set out in the Proposed Niagara Escarpment Plan. Landowners who disagreed with the Proposed Plan's Five-Year Program had the opportunity to appear at the Plan hearings and state their objections.

Hearing Officers' Recommendation No. 58. **Page 81**

> That Section 3.5, Role of the Ministry of Natural Resources, be accepted as written.

Niagara Escarpment Commission Recommendation: REJECT.

Reasons:

1. Consultation with the various public park authorities as required, and accepted under the Hearing Officers' Recommendations Nos. 52 and 53, resulted in the

acceptance of the concept of two agencies to coordinate the establishment and administration of the Parks System. One agency (a proposed Niagara Escarpment Trust) would coordinate the establishment of the parks system through the provision of funds for land acquisition and the other, (the Niagara Escarpment Commission) would coordinate the administration of the parks system through the approval (Certification of Conformity) of Park Master Plans.

2. Submissions were made endorsing the idea of special purpose bodies to handle land acquisition and park management (see Submission No. 49).

Hearing Officers' Recommendation No. 59 **Page 82**

That Section 3.6, Methods of Land Acquisition, be deleted.

Niagara Escarpment Commission Recommendation: ACCEPT

Part 4 of the Proposed Plan: General Recommendations

Hearing Officers' Recommendation No. 60. **Page 83**

That Sections 4.1; 4.1.1; 4.1.2; 4.1.3; 4.1.4; 4.1.5; 4.1.6; 4.1.7; 4.1.8 and 4.1.9 be deleted.

Niagara Escarpment Commission Recommendation: REJECT.

Reasons:

1. Land-use control is only one of the many functions which are included in the term "implementation." See N.E.C. recommendations on the Hearing Officers' Recommendations Nos. 7 and 47.
2. It is common practice to include an implementation section in plans. Such a section is in the approved Parkway Belt West Plan and can be found in most official plans.

Hearing Officers' Recommendation No. 61. Page 84

That the Niagara Escarpment Commisson, if it so wishes, may include the balance of Part 4 (not dealt with in the immediately preceeding recommendation) as an appendix to the Plan.

Niagara Escarpment Commission Recommendation: ACCEPT.

Part 6 of the Proposed Plan: Definitions

Hearing offficers' Recommendation No. 62 Page 87

That Part 6 of the Proposed Plan (which we have heretofore recommended become Part 1) be amended by the deletion of the definition of a "viable farm unit".

Niagara Escarpment Commission Recommendation: ACCEPT.

Summary of the Hearing Officers' General Recommendations

Hearing Officers' Recommendation No. 63* Page 108

That the ownership of Lake Gibson be reviewed before the Plan is finalized.

Related Submission: 41 (Summers)

Niagara Escarpment Commission Recommendation: ACCEPT.

*This recommendation was not included in Chapters 1-16 of Volume 1 of the Hearing Officers' Report.

3. RESPONSE TO VOLUME 2- PHASE I

The following Phase I submissions were either in general support of or opposed to the Proposed Plan. They have been grouped because the N.E.C. has made the same recommendation on each of them.

Name.	File No.	Submission No.	Page
Donald Abernethy	G700-61	174	488
Acres Consulting Services Ltd.	G700-23	201	518
Acton High School	G200-34	46	339
Aggregate Producers' Association of Ontario	G700-14	216	541
Aldershot High School	G200-88	38	331
Ancaster Outers Klub	G200-74	40	333
Association of Counties and Regions of Ontario	G700-18	126	420
Association of Ontario Land Surveyors	G700-108	185	501
Bleguis, Jeffrey	G200-23	61	390
Blue Mountain Bruce Trail Club	G700-66	172	486
Blue Mountain Resorts and Craigleith Developments	G700-49	171	484
Gordon M. Bothwell	G700-65	137	431
County of Bruce	G700-13	140	434
Bruce Peninsula Protection Association	G700-50	144	449
Bruce Peninsula Snowmobile Trail Association	G700-39	213	530
Bruce Peninsula Sportman's Association	G700-35	146	451
Bruce Trail Association	G200-7	21	302
Raymond Bumstead	G700-78	191	507
Freda Bunner	G700-2	210	527
City of Burlington	G200-35	55	375

Charlene Butler	G200-50	23	304
Bryan Byng	G200-86	73	402
Malcolm M. Campbell	G700-142	208	525
Robert Campbell	G700-71	180	496
Canadian Environmental Law Association	G700-134	175	489
Canadian Society of Environmental Biologists (Ontario Chapter)	G700-136	169	482
Ms. Nina B. Carlisle	G700-44	222	549
William G. Caulfield-Browne	G700-27	147	452
Central Ontario Chapter, Canadian Institute of Planners	G700-132	164	477
Chairmen's Committee of the Conservation Authorities of Ontario	G700-130	154	463
J. P. Charlebois	G200-91	43	336
Hubert Cheshire	G700-31	138	432
Clear Hamilton of Pollution	G200-11	24	305
Coalition on the Niagara Escarpment	G200-9	49	348
Collingwood and District Real Estate Board	G700-99	211	528
Conservation Council of Ontario	G700-55	199	515
Douglas Cooper	G200-53	20	301
Credit Valley Conservation Authority	G200-59	13	293
Harold Davidson	G700-111	149	455
C. D. Dittrich	G700-140	227	554
Dufferin Federation of Agriculture	G700-69	187	503
Dufferin-Hi-Land Bruce Trail Club	G700-45	195	511
Victor L. Dukeshire	G200-82	5	278
Vincent H. Elliott	G700-68	159	470

Federation of Ontario Hiking Trail Association	G700-47	162	475
Federation of Ontario Naturalists	G200-1	12	289
Fenwood Developments Limited	G200-58	1	271
Township of Flamborough	G200-29	25	306
Harold M. Forbes	G700-38	152	461
Foundation for Aggregate Studies	G700-143	215	538
Len Gertler	G700-112	163	476
W. A. Gilmour	G200-56	67	396
Ms. Valanne Glooschenko	G200-13	32	315
Mr. & Mrs. Donald J. Grant	G700-12	124	418
County of Grey	G700-97	117	405
Marvin Grove	G200-19	60	389
Town of Halton Hills	G200-90	57	378
Halton Region Conservation Authority	G200-43	36	325
Regional Municipality of Halton	G200-24	58	380
Stewart Hamill	G700-118	184	500
Hamilton Naturalists' Club	G200-16	74	404
Hamilton Regon Conservation Authority	G200-5	34	317
Frank G. Harshman	G200-76	10	287
Clarence Hewitt	G200-92	45	338
Charles Hildebrandt	G200-36	63	392
Gordon T. Hill	G700-8	218	545
David Hindson	G700-125	205	522
Township of Holland	G700-56	170	483
Douglas J. Howes	G200-54	39	332
Isthmus Bay Property Owners' Association	G700-11	122	416
Dr. John N. Jackson	G200-18	2	273
Joseph W. Johnson	G700-60	125	419

Alex Johnston	G700-34	145	450
Thomas N. Jones	G700-87	193	509
Richard C. Jones	G700-93	173	487
Alfred Jurss	G200-42	65	394
Township of Keppel	G700-33	188	504
Malcolm Kirk	G200-32	9	286
Kitchener-Waterloo Field Naturalists	G200-25	16	297
John V. Lefebure	G200-93	35	324
Ivan Lemcke	G700-63	186	502
Joseph Lesich	G700-67	155	466
Robert Leverty	G700-103	157	468
Miss Jane C. LeWarne	G200-85	72	401
Town of Lincoln	G200-38	31	313
Local Architectural Advisory Committee - Cookstown	G700-32	221	548
Lookout Point Golf and Country Club and Concerned Citizens for the Fonthill Kame Moraine	G200-67	42	335
Lord Elgin High School	G200-44	18	299
Mrs. Muriel Lowcock	G700-85	195	511
Ms. Margaret MacKenzie	G200-47	66	395
John E. MacRae	G200-65	70	399
Kenneth E. Martin	G200-81	1	271
Alex Matulewiczs	G200-61	15	296
Township of Melancthon	G700-121	131	425
Robert Merritt	G700-3	178	493
Milton High School	G200-87	26	308
Town of Milton	G200-89	56	377
Ministry of Natural Resources	G700-17	214	531
Township of Mono	G700-102	150	456
Township of Mulmur	G700-29	148	453
McIlwraith Field Naturalists of London	G700-76	160	471
Clayton McKague	G700-28	220	547
Robert McKessock	G700-26	121	415

Phil McNichol	G700-64	204	521
Nature Conservancy of Canada	G700-141	139	433
New Democratic Party(Ontario)	G200-48	48	346
Niagara Escarpment Central Ratepayers Association	G700-129	151	458
Niagara Escarpment Interest Groups Advisory Committee	G200-41	47	340
Niagara Escarpment Northern Ratepayers Association	G700-62	203	520
Niagara Escarpment Regions and Counties Advisory Committee	G200-14	7	281
Regional Municipality of Niagara	G200-3	3	275
North Grey and Sauble Valley Conservation Authority	G700-131	141	443
Township of Nottawasaga	G700-126	177	491
Lloyd Oliver	G700-1	158	469
Ontario Association of Landscape Architects	G200-52	37	329
Ontario Conservation Panel of the Canadian International Biological Programme	G700-73	192	508
Ontario Federation of Agriculture	G200-73	6	279
Ontario Federation of Anglers and Hunters	G200-63	69	398
Ontario Historical Society	G200-21	29	311
Ontario Institute of Agrologists	G200-40	8	284
Ontario Libertarian Party	G700-5	212	529
Ontario Real Estate Association	G700-15	129	423
Ontario Society of Environmental Management	G700-124	130	424
Ottawa Field Naturalists Club	G200-57	68	397
Dr. Robert Payne	G700-105	143	447
Robert M. Pearse	G700-52	224	551
Town of Pelham	G200-22	30	312
Mrs. Melva Peterson	G700-137	226	553

Mrs. Irene Potter	G700-43	166	479
Meryl Prange	G700-135	181	497
W. M. Pratt	G700-94	194	510
Property Owners Rights Association	G700-4	179	494
Mrs. Margaret Quinton	G700-22	165	478
Angus Ralph	G700-36	128	422
Rattlesnake Point Citizens Group	G200-33	51	369
Ross J. Raymond	G700-25	206	523
Frank and Ismay Richardson	G700-21	183	499
Gordon Richardson	G700-37	123	417
Richmond Hill Naturalists Club	G200-27	17	298
Royal Botanical Gardens	G200-70	22	303
St. Catharines and Lincoln Historical Society	G200-15	59	388
St. Edmunds Property Owners Association	G200-55	50	368
Township of St. Vincent	G700-95	119	410
Malcolm J. Sanderson	G700-120	198	514
Saugeen Field Naturalists	G700-127	153	462
E. Schmutz	G700-110	190	506
Walter Scott	G700-88	202	519
Norman E. Seabrook	G700-20	142	445
W. Shannon	G700-91	132	426
Sam S. Sharpe	G700-40	188	504
Dave Shepherd	G700-10	219	546
Sierra Club of Ontario	G200-17	54	374
Simcoe County Federation of Agriculture	G700-123	176	490
County of Simcoe	G700-6	217	544
Donald Sinclair	G200-64	33	316
Slow Poke Hikers	G200-10	28	310
South Peel Naturalists Club	G200-39	64	393
Dr. Allan Stone	G700-144	156	467
Town of Stoney Creek	G200-37	53	372

Sydenham Federation of Agriculture	G700-101	182	498
Sydenham Sportmen's Association	G700-30	136	430
L. R. L. Symmes	G700-58	133	427
John M. Taylor	G700-53	197	513
Tecumseth and West Gwillimbury Historical Society	G200-31	62	391
Therafields	G700-7	135	429
Freda Thompson	G700-74	207	524
Gordon Thompson	G700-92	167	480
Tobert C. Thompson	G700-24	168	481
City of Thorold	G200-8	11	288
Tobermory Chamber of Commerce	G700-57	127	421
Toronto Bruce Trail Club	G700-46	223	550
Toronto Field Naturalists Club	G700-16	134	428
Alex Torrie	G700-51	209	526
Alan H. Towsley	G200-26	52	371
Union of Ontario Indians	G700-75	189	505
University of Toronto Outing Club	G700-79	200	517
Ian R. Ward	G200-83	71	400
Warder Farms Limited	G700-98	120	414
University of Waterloo Students	G700-19	161	472
Mrs. Janet Watkins	G200-12	19	300
Warren Wiley	G200-20	44	337
David Wyonch	G700-115	225	552
Dr. Emil Zmenak	G200-68	14	295
Harry Zohoruk	G200-28	27	309
Zone 3 Ontario Sheep Association	G200-66	4	277

Hearing Officers' Recommendations: None.

N.E.C. Recommendation: ACCEPT.

File No. G200-4 **Page** 334 **Submission No.** 41

Name: Mrs. Roy Summers.

Submission: Concerned about the cost of the hearings. Agriculture and recreation are not compatible. Doubts that Ontario Hydro owns Lake Gibson.

Hearing Officers' Recommendation: Review the ownership of Lake Gibson before the Plan is finalized.

N.E.C. Recommendation: ACCEPT.

4.RESPONSE TO VOLUME 3 - PHASE 2

REGIONAL MUNICIPALITY OF NIAGARA.

The following Phase 2 submissions in the Region of Niagara were in general support of the Proposed Plan.

Name	File No.	Submission No.	Page
Beamer	100-13	499	604
Rice	100-63	504	609
Phillips	100-85	506	611
Oliver	100-18	511	617
Niagara Falls Nature Club	100-68	517	624
Angle	100-92	520	628
Preece	100-82	521	629
MacKenzie	100-91	522	630
Griffith	100-125	525	634
Reed	100-81	530	640
Preservation of Agricultural Lands Soc.	100-71	532	642
Jackson	100-56	537	651
Bilbe	100-22	539	654
Niagara Bruce Trail Club	100-35	540	655
Lookout Point Golf & Country Club and the Concerned Citizens for the Fonthill Kame Moraine	100-30	542	658
Foundation for Aggregate Studies	100-72	543	659
Laughton	100-93	549	666
Peninsula Field Naturalists	100-87	550	667
Niagara Peninsula Conservation Authority	100-76	553	671
MacRae	100-123	567	689
Johnson	100-115	568	690
Hill	100-121	569	691
Mitchell	100-134	571	693
Rice	100-111	572	694
Morgan	100-112	573	695
D. Mathias	100-113	574	696
A. Mathias	100-114	575	697

Roland	100-105	576	698
Grant	100-110	577	699
Sharpe	100-106	578	700
Daley	100-107	579	701
Bissell	100-108	580	702
St. John's Valley Community	100-95	581	703
New England Slate Limited	100-119	583	705
Fishburn	100-104	584	706
Smith	100-102	585	707
Scholn	100-118	586	708
Morse	100-124	587	709
Harmes	100-101	588	710
Martin	100-98	589	711
Ontario Trail Riders' Association	100-49	591	713
Tigne	100-99	592	714
Robinson	100-97	593	715
Johnson	100-117	597	719
Reese	100-100	598	720
Hamilton Naturalists' Club	100-53	600	722
Howey	100-88	601	723
Wessel	100-136	602	724
Lathrop	100-138	654	731
Knisley	100-139	655	732
Roberts	100-140	656	733
Hubbard	100-141	657	734

Submission: Supports the Proposed Plan.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

In the following Phase 2 submissions in the Region of Niagara, requests were made for deletions from the Proposed Plan. The hearing officers did not recommend the deletions, and we recommend the acceptance of the hearing officers' recommendations.

Name	File No.	Submission No.	Page
Chetwynd	100-1	496	600
Legros	100-17	505	610
Alexander	100-61	534	646
Martin	100-67	538	652
Gauld	100-42	547	663
Smith	100-29	551	668
Vidal	100-132	552	670
Blaney	100-130	560	681
Armbruster	100-131	561	682
Hambleton	100-126	562	683

Land: Properties in the Region of Niagara.

Submissions: Delete.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

The following Phase 2 submissions in the Region of Niagara were opposed to the Proposed Plan.

Name	File No.	Submission No.	Page
Grandoni	100-73	559	680
Taylor	100-137	670	735

Submission: Opposed to the Proposed Plan.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

File No. 100-2 **Page** 581 **Submission No.** 489

Name: Regional Municipality of Niagara.

Submission:

1. Delete area of Jordan Harbour north of Middle Road (Regional Road 77).
2. Delete Lake Gibson and part of Lake Moodie.
3. a) Delete area of Escarpment Protection designation north of Regional Road No. 81 west of Kerman Avenue east of Casablanca Blvd.
   b) Delete area of Escarpment Protection designation south of Regional Road 81 in west portion of Town adjacent to Town of Stoney Creek boundary.
4. All Urban Centre designations in Niagara be deleted.
5. That approved Urban Areas in the regional official plan not shown as Urban Centres be deleted.
6. That all Escarpment Rural Areas except those mentioned in Submission Nos. 11-13 below be deleted.
7. That the Escarpment Natural designation be extended to include 4 specific sites.

8. That part of the Mineral Resource Area of Queenston Quarries (adjacent to Queenston Heights Park) be changed to Escarpment Natural.
9. That the Mineral Resource Area and Escarpment Protection Area south of Tice Road in the Town of Pelham be deleted.
10. That consideration be given to recognizing the full extent of licenced areas.
11. That 7 areas of Escarpment Rural adjacent to Escarpment Natural Areas designations be designated Escarpment Protection.
12. That 2 areas south of Cave Springs designated Escarpment Rural be designated Escarpment Protection.
13. That 4 sites designated Escarpment Rural be designated Escarpment Protection.

Related Submissions:

1. 507, 512, 517, 533, 537, 595.
2. 537.
3. 78.
6. 518.
9. 504, 548, 568, 570, 581, 585, 586, 587, 595, 601, 655.

Hearing Officers' Recommendation:

1- 3b	Delete
4-7	None.
8.	Concur
9.	Delete including adjacent Escarpment Rural Area.
10.	Concur
11-13.	None.

N.E.C. Recommendations:

1. ACCEPT WITH MODIFICATIONS.

Reason: Areas designated Escarpment Natural in this area are part of an Escarpment related Candidate Nature Reserve.

2. **ACCEPT WITH MODIFICATIONS.**

Reason: Two small portions of this area were not recommended for deletion by Thorold.

3. a) **ACCEPT.**
   b) **REJECT.**

Reason: This area south of Regional Road No. 81 in the western portion of the Town of Grimsby, although containing significant development, is adjacent to the toe of the Escarpment.

The lands are similar in use and proximity to the Escarpment as lands immediately to the west in the Town of Stoney Creek referred to in Submission 78 ii(d) which the Hearing Officers' Report indicates are properly designated.

4. **ACCEPT.**
5. **ACCEPT.**
6. **NONE.**

Reason: See N.E.C. recommendation on Submission 518 (Merritt).

7. **ACCEPT.**
8. **ACCEPT.**
9. **ACCEPT WITH MODIFICATIONS** - retain area designated Escarpment Protection.

Reason: The area designated Escarpment Protection should be retained. The lands affected contain the highest point of land in the Niagara Peninsula and are visually prominent. They are part of the headwaters of the Twelve Mile Creek watershed and form part of the aquifer associated with the Twelve Mile Creek. The lands, therefore, satisfy the designation criteria of the Proposed Plan.

10. **ACCEPT.** The areas, however are not in the area of the Proposed Plan.
11. **ACCEPT.**
12. **ACCEPT.**
13. **ACCEPT.**

File: 100-22 **Page** 587 **Submission No.**490

Name: Town of Pelham

Land: Lot 11, Concession 5

Proposed Plan: Escarpment Rural.

Submission: Concurs with Submission No. 489 (Region of Niagara) but wants Lot 11, Concession 5 deleted.

Related Submission: 489

Hearing Officers' Recommendation: Delete.

N.E.C. Recommendation: ACCEPT.

File: 100-26 **Page** 588 **Submission No.** 491

Name: Town of Grimsby.

Submission:

1. Delete Escarpment Protection Area in west of town south Regional Road 81 to toe of Escarpment from western boundary of town to Woolverton Road.
2. Delete Escarpment Protection designated area north of Regional Road 81 between Kerman Avenue and Casablanca Blvd.
3. Delete Urban designation of Town of Grimsby.
4. Delete area included as Urban in regional official plan and designated Escarpment Protection in Niagara Escarpment Commission Proposed Plan.
5. Delete area east of Park Road to Town of Lincoln boundary south to toe of Escarpment.
6. Delete area designated Escarpment Protection bounded by two Escarpment faces.
7. Delete area of Escarpment Protection west of Park Road partially up face of Escarpment or re-designate to Escarpment Rural.
8. Delete Escarpment Protection designation areas south of the Escarpment brow.

9. Delete Escarpment Protection designated lands north of Ridge Road in Lot 6, Concession 2.
10. Delete areas designated Escarpment Rural.

Related Submissions: 489 (Region of Niagara) 518

Hearing Officers' Recommendations:
For areas 1-9, do not delete.
For area 10, none.

N.E.C. Recommendations:
1-9 ACCEPT
10 NONE

Reason:
10. See N.E.C. recommendation on Submission 518 (Robert Merritt).

File: 100-52 **Page** 592 **Submission No:** 492

Name: Town of Lincoln

Submission: Delete Rural Areas, delete Jordan Harbour, correct Urban Areas as per Niagara Regional Policy Plan.

Related Submissions: 489 (Region of Niagara).

Hearing Officers' Recommendations: None.

N.E.C. Recommendation: NONE.

Reason: See N.E.C. recommendation on Submission No. 489 (Regional Municipality of Niagara.)

File: 100-3 **Page** 593 **Submission No.** 493

Name: City of Thorold.

Submission:

1. Delete Urban Centre lands west of Welland Canal south of St. David's Road.
2. Delete industrial lands east of Welland Canal designated Escarpment Rural.
3. Delete Lake Gibson and Lake Moodie areas.

Related Submission: 489 (Region of Niagara).

Hearing Officers' Recommendations:

1. Delete
2. Delete
3. None

N.E.C. Recommendations:

1. ACCEPT
2. ACCEPT
3. NONE

Reason:

3. See N.E.C. Recommendation on Submission No. 489 (Regional Municipality of Niagara).

File: 100-51 **Page** 595 **Submission No.** 494

Name: Town of Niagara-on-the-Lake

Submission:

1. Delete Escarpment Rural designation.
2. Redesignate Sand Plant Hill from Escarpment Protection to Escarpment Natural.

3. Redesignate the eastern edge of Queenston Quarries from Mineral Resource to Escarpment Natural.
4. Redesignate lands of Queenston Quarries south of Regional Road No. 81 from Mineral Resource to Escarpment Natural.
5. Redesignate lands north of Regional Road No. 81 along Lake Iroquois Shoreline from Escarpment Protection to Escarpment Natural.
6. Redesignate lands in vicinity of St. David's Regional Road No. 81 - Tanbank Road - Warner Road from Escarpment Rural to Escarpment Protection.
7. Redesignate lands in vicinity of Village of Queenston from Escarpment Rural to Escarpment Protection.
8. Include in the Plan, policies to prevent the creation of new waste disposal sites in quarries along the Escarpment.

Related Submission: 489

Hearing Officers' Recommendation:

1. 1, 3-7 none.
2. Redesignate to Escarpment Natural.
8. No recommendation.

N.E.C. Recommendations:

1-8 ACCEPT.

File: 100-55 **Page** 598 **Submission No.** 495

Name: City of Niagara Falls

Submission:

1. Delete area west of Regional Road No. 102, south of Highway 405, north of Mountain Road as in Urban Area Boundary.
2. Delete area north of Mountain Road west of Fireman's Park, west of St. David's Sand and Gravel, south of railway.
3. Delete Escarpment Rural designation south of Mountain Road.

Related Submission: 489 (Region of Niagara).

Hearing Officers' Recommendation: 1-3 Delete.

N.E.C. Recommendation: 1-3 ACCEPT.

NOTE: The Commission is of the opinion that if No. 3 is deleted, there is no need to include the adjacent Mineral Resource Area. We recommend that it be deleted.

File No. 100-6 **Page** 601 **Submission No.** 497

Name: Summers

Land: Part Lots 52, 53,54, 55, 56, 76, 77, 78, 79, 100, 122, 123, City of Thorold.

Proposed Plan: Escarpment Protection.

Submission: Delete.

Related Submission: 489 (Region of Niagara).

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

File No. 100-8 **Page** 602 **Submission No.** 498

Name: Mouriopoulis

Land: Part Lot 19, Concessions 2 & 3, Town of Grimsby.

Proposed Plan: Escarpment Protection.

Submission:

1. Redesignate to Escarpment Rural
2. Redesignate to Urban
3. Delete
4. Purchase.

Related Submissions: 489 (Region of Niagara)

Hearing Officers' Recommendation:
1-4. None.

N.E.C. Recommendation:
1-4. NONE.

Reason: See N.E.C. recommendation on Submission 489 (Region of Niagara).

File No. 100-10 **Page** 605 **Submisison No** 500

Name: Pennachetti

Land: Part Lots 11, 12, Concession 5, Town of Lincoln, 190 Woodside Drive St. Catharines.

Proposed Plan: Escarpment Natural, Escarpment Protection.

Submission: Willing to enter into negotiations to sell lands.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

File No. 100-75 **Page** 606 **Submission No.** 501

Name: Dmytrow.

Land: Lot 12, Concession 5, Town of Lincoln (Clinton).

Proposed Plan: Escarpment Natural, Escarpment Protection and Acquisition.

Submission: Owner willing to sell portion of his holding.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

File No. 100-16 **Page** 607 **Submission No.** 502

Name: Costello

Land: Part Lot 14, Concession 2, Town of Grimsby.

Proposed Plan: Escarpment Protection, Escarpment Natural.

Submission: Allow 4 lots within Escarpment Natural portion of property south of Regional Road No. 81.

Related Submission: 489.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

File No. 100-45 **Page** 608 **Submission No.** 503

Name: Ellis

Land: Part Lot 18, Concession 5, Town of Lincoln (Louth).

Proposed Plan: Escarpment Natural and Escarpment Protection.

Submission: Requested clarification of boundary between designations.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

File No. 100-86 **Page** 612 **Submission No.** 507

Name: Phillips.

Land: 22 BF, Town of Lincoln.

Submission: Do not delete areas from the proposed Plan.

Related Submissions: 489.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: NONE

Reason: See N.E.C. recommendation on Submission No. 489 (Region of Niagara).

File No. 100-24 **Page** 613 **Submission No.** 508

Name: Costain Limited.

Land: Part Lots 3 and 5, Town of Grimsby.

Proposed Plan: Escarpment Protection.

Submission: Redesignate to Urban.

Related Submission: 489 (Region of Niagara), 509, 510.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

File No. 100-60 **Page** 615 **Submission No.** 509

Name: Deanfield Farms.

Land: Part Lot 4, Concession 2, Town of Grimsby.

Proposed Plan: Escarpment Natural.

Submission: Redesignate to Urban.

Related Submissions: 489 (Region of Niagara), 508, 510.

Hearing Officers' Recommendation: None

N.E.C. Recommendation: ACCEPT.

File No. 100-83 **Page** 616 **Submission No.** 510

Name: Niagara Peninsula Investments Limited.

Land: Part Lot 4, Concession 2, Town of Grimsby.

Proposed Plan: Escarpment Protection.

Submission: Redesignate Escarpment Protection to Urban.

Related Submission: 489 (Region of Niagara), 508, 509.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

File No. 100-36 **Page** 618 **Submission No.** 512

Name: Fretz.

Land: Part Lots 19 & 20, Concessions 1,2,3 BF, Town of Lincoln.

Proposed Plan: Escarpment Natural, Escarpment Rural, Escarpment Recreation.

Submission: Delete Jordan Harbour Area from Plan.

Related File: 489 (Region of Niagara).

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: NONE.

Reason: See N.E.C. recommendation on Submission No. 489 (Region of Niagara).

File No. 100-23 **Page** 619 **Submission No.** 513

Name: Pratten.

Land: Part Lot 12, Concessions 6 & 7, Town of Pelham.

Proposed Plan: Outside Plan.

Submission: Delete Short Hills from Plan

Related Submissions: 489 (Region of Niagara), 603 (Steed and Evans Ltd.).

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: NONE.

Reason: See N.E.C. recommendation on Submissions No. 489 (Region of Niagara), 603.

File No. 100-48 **Page** 620 **Submission No.** 514

Name: Chambers.

Land: Part Lot 863, C.P. 6, St. Catharines.

Proposed Plan: Urban and Area of Direct Provincial Interest.

Submission: Requests her property be purchased.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

File No. 100-28 **Page** 621 **Submission No.** 515

Name: Andreychuk.

Land:

a) Lot 23, Concession 3, Town of Lincoln.

b) Lot 6, Concession 2, Town of Grimsby.

Proposed Plan:

a) Escarpment Natural

b) Escarpment Protection, Escarpment Natural.

Submission:

a) Acquire these lands.

b) Redesignate Escarpment Protection Area to Specific Estate Residential.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: NONE.

Reason: See N.E.C. recommendations, comments and reasons in the general section of this report.

File No. 100-21 **Page** 622 **Submission No.** 516

Name: Saine

Land: Lots A, B, East Gore, Town of Grimsby.

Proposed Plan: Escarpment Natural, Escarpment Protection.

Submission: Request lands be designated to allow development for subdivision.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: NONE

Reason: See N.E.C. recommendation, comments and reasons in the general section of this report.

File No. 100-41 **Page** 625 **Submission No.** 518

Name: Merritt

Land: Part Lot 10, Concession 2 & 3, Town of Grimsby.

Proposed Plan: Escarpment Protection, Escarpment Rural and Escarpment Natural.

Submission: Delete the portion of his property designated Escarpment Protection and Escarpment Rural from the Plan.

Related Submission: 489 (Region of Niagara), 491.

Hearing Officers' Recommendation: That all the Rural designated lands in the Town of Grimsby and in the Town of Lincoln immediately adjacent to the eastern boundary of the Town of Grimsby be deleted.

N.E.C. Recommendation: ACCEPT WITH MODIFICATIONS.

Reasons:

1. The lands which the Commission does not recommend for deletion are in close proximity to the brow of the Escarpment and/or contain significant wetlands

and recharge areas. They are, therefore, part of the natural environment of the Niagara Escarpment and land in its vicinity.

2. Leaving the above areas in the Proposed Plan would be consistent with the Hearing Officers' recommendations on Submissions 489 (Region of Niagara), 491 (Town of Grimsby).

File No. 100-25 **Page** 627 **Submission No.** 519

Name: Myers.

Land: Part Lot 21, Concession 5, Town of Lincoln (Louth).

Proposed Plan: Escarpment Natural.

Submission: Request for clarification.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

File No. 100-84 **Page** 631 **Submission No.** 523

Name: Baran.

Land: Part Lots 17 & 18, Concession 5, Town of Lincoln.

Proposed Plan: Escarpment Protection.

Submission: Redesignate to Escarpment Rural to allow subdivision.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: NONE.

Reason: See N.E.C. recommendations on the Hearing Officers' Recommendation No. 11 in the general recommendations of this report.

File No. 100-44 **Page** 632 **Submission No.** 524

Name: Wrzesnewskyj

Land: Part Lot A, East Gore, Town of Grimsby.

Proposed Plan: Escarpment Protection.

Submission: Redesignate to Urban or delete.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: NONE.

Reason: See N.E.C. recommendation on the Hearing Officers' recommendation No. 11 in the general section of this report.

File No. 100-78 **Page** 635 **Submission No.** 526

Name: Eichmanis

Land: Part Lot 4, Concession 5, Town of Lincoln (Clinton).

Proposed Plan: Escarpment Natural.

Submission: Request to build on property.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

File No. 100-77 **Page** 636 **Submission No.** 527

Name: Bigger.

Land: Lots 15, 16, Concession 5 & 6

Proposed Plan: Escarpment Protection, Escarpment Natural.

Submission:

1. Request for severance, or
2. Delete.

Hearing Officers' Recommendation:

1-2 None.

N.E.C. Recommendation:

1) NONE.
2) ACCEPT

Reason: 1. See N.E.C. recommendations, comments and reasons in the general section of this report.

File No. 100-39 **Page** 637 **Submission No.** 528

Name: Doberstein.

Land: 188 Plan M2, Town of Lincoln (Louth).

Proposed Plan: Escarpment Protection.

Submission: Request for clarification.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

File No. 100-29 **Page** 638 **Submission No.** 529

Name: Property Owners' Rights Association

Submission:

1. Opposes Bruce Trail.
2. Give control authority to municipality.
3. Limit control to scarp face.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: NONE.

Reason: See N.E.C. recommendations, comments and reasons in the general section of this report.

File No. 100-40 **Page** 641 **Submission No.** 531

Name: Tomarin

Land: Incorrectly shown on report. Should be Part Lots 22 & 23, Concession 10, City of St. Catharines.

Proposed Plan: Escarpment Natural.

Submission: Would like some estate development on his 150-acre property.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

File No. 100-32 **Page** 645 **Submission No.** 533

Name: Gibson.

Land: Lots 19 & 20, Concession 2, Town of Lincoln (Louth).

Proposed Plan: Escarpment Natural.

Submission: Keep area in Plan as designated.

Related Submision: 489

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: NONE.

Reason: See N.E.C. recommendation on Submission 489 (Region of Niagara) re: deletion of Jordan Harbour.

File No. 100-69 **Page** 648 **Submission No.** 535

Name: Brock University.

Land: Lockhart Drive, South side City of St. Catharines.

Proposed Plan: Urban Centre - Area of Direct Provincial Interest.

Submission: Redesignate to Urban.

Related File: 489

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

File No. 100-38 **Page** 649 **Submission No.** 536

Name. Tolmie

Land: Lot 1, Concession 5, Town of Pelham.

Proposed Plan: Escarpment Protection.

Submission: Allow estate residential uses in Escarpment Protection Areas.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: NONE.

Reason: See N.E.C. recommendations on the Hearing Officers' Recommendation No. 11 in the general section of this report.

File No. 100-70 **Page** 656 **Submission No.** 541

Name: St. David's Sand and Gravel Limited.

Land: Lots 16, 17, 24 & 25, City of Niagara Falls.

Proposed Plan: Mineral Resource Area.

Submission: Delete lands south of C.N.R. designated Mineral Resource.

Hearing Officers' Recommendation: Delete.

N.E.C. Recommendation: ACCEPT.

Note: The Commission is of the opinion that if these lands are deleted there is no need to include the adjacent Escarpemnt Rural Area in Lot 24. We recommend that it be deleted.

File No. 100-74 **Page** 660 **Submission No.** 544

Name: Grandoni

Land: Part Lots 99, 104, 107, City of Niagara Falls.

Submission: Put more emphasis on agriculture.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

File No. 100-47 **Page** 661 **Submission No.** 545

Name: Stephen Jakymin.

Land: Part Lots 18 and 19, Concession 3 and 4, Town of Lincoln.

Proposed Plan: Escarpment Protection.

Submission: Wants to be free to operate farm without Niagara Escarpment Commission approval or be removed from Plan.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: NONE.

Reason: See N.E.C. recommendations, comments and reasons in the general section of this report.

File No. 100-46 **Page** 662 **Submission No.** 546

Name: Paolasini

Land: Part Lot 22, Concession 3, Town of Grimsby.

Proposed Plan: Escarpment Protection.

Submission: Allow rural plans of subdivision in Escarpment Protection.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: NONE

Reason: See N.E.C. recommendations on the Hearing Officers' Recommendation No. 11 in the general section of this report.

File No. 100-7 **Page** 664 **Submission No.** 548

Name: T.C.G. Materials Limited.

and recharge areas. They are, therefore, part of the natural environment of the Niagara Escarpment and land in its vicinity.

2. Leaving the above areas in the Proposed Plan would be consistent with the Hearing Officers' recommendations on Submissions 489 (Region of Niagara), 491 (Town of Grimsby).

File No. 100-25 **Page** 627 **Submission No.** 519

Name: Myers.

Land: Part Lot 21, Concession 5, Town of Lincoln (Louth).

Proposed Plan: Escarpment Natural.

Submission: Request for clarification.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

File No. 100-84 **Page** 631 **Submission No.** 523

Name: Baran.

Land: Part Lots 17 & 18, Concession 5, Town of Lincoln.

Proposed Plan: Escarpment Protection.

Submission: Redesignate to Escarpment Rural to allow subdivision.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: NONE.

Reason: See N.E.C. recommendations on the Hearing Officers' Recommendation No. 11 in the general recommendations of this report.

File No. 100-44 **Page** 632 **Submission No.** 524

Name: Wrzesnewskyj

Land: Part Lot A, East Gore, Town of Grimsby.

Proposed Plan: Escarpment Protection.

Submission: Redesignate to Urban or delete.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: NONE.

Reason: See N.E.C. recommendation on the Hearing Officers' recommendation No. 11 in the general section of this report.

File No. 100-78 **Page** 635 **Submission No.** 526

Name: Eichmanis

Land: Part Lot 4, Concession 5, Town of Lincoln (Clinton).

Proposed Plan: Escarpment Natural.

Submission: Request to build on property.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

File No. 100-77 **Page** 636 **Submission No.** 527

Name: Bigger.

Land: Lots 15, 16, Concession 5 & 6

Proposed Plan: Escarpment Protection, Escarpment Natural.

Submission:

1. Request for severance, or
2. Delete.

Hearing Officers' Recommendation:

1-2 None.

N.E.C. Recommendation:

1) NONE.
2) ACCEPT

Reason: 1. See N.E.C. recommendations, comments and reasons in the general section of this report.

File No. 100-39 **Page** 637 **Submission No.** 528

Name: Doberstein.

Land: 188 Plan M2, Town of Lincoln (Louth).

Proposed Plan: Escarpment Protection.

Submission: Request for clarification.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

File No. 100-29 **Page** 638 **Submission No.** 529

Name: Property Owners' Rights Association

Submission:

1. Opposes Bruce Trail.
2. Give control authority to municipality.
3. Limit control to scarp face.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: NONE.

Reason: See N.E.C. recommendations, comments and reasons in the general section of this report.

File No. 100-40 **Page** 641 **Submission No.** 531

Name: Tomarin

Land: Incorrectly shown on report. Should be Part Lots 22 & 23, Concession 10, City of St. Catharines.

Proposed Plan: Escarpment Natural.

Submission: Would like some estate development on his 150-acre property.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

File No. 100-32 **Page** 645 **Submission No.** 533

Name: Gibson.

Land: Lots 19 & 20, Concession 2, Town of Lincoln (Louth).

Proposed Plan: Escarpment Natural.

Submission: Keep area in Plan as designated.

Related Submision: 489

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: NONE.

Reason: See N.E.C. recommendation on Submission 489 (Region of Niagara) re: deletion of Jordan Harbour.

File No. 100-69 **Page** 648 **Submission No.** 535

Name: Brock University.

Land: Lockhart Drive, South side City of St. Catharines.

Proposed Plan: Urban Centre - Area of Direct Provincial Interest.

Submission: Redesignate to Urban.

Related File: 489

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

File No. 100-38 **Page** 649 **Submission No.** 536

Name. Tolmie

Land: Lot 1, Concession 5, Town of Pelham.

Proposed Plan: Escarpment Protection.

Submission: Allow estate residential uses in Escarpment Protection Areas.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: NONE.

Reason: See N.E.C. recommendations on the Hearing Officers' Recommendation No. 11 in the general section of this report.

File No. 100-70 **Page** 656 **Submission No.** 541

Name: St. David's Sand and Gravel Limited.

Land: Lots 16, 17, 24 & 25, City of Niagara Falls.

Proposed Plan: Mineral Resource Area.

Submission: Delete lands south of C.N.R. designated Mineral Resource.

Hearing Officers' Recommendation: Delete.

N.E.C. Recommendation: ACCEPT.

Note: The Commission is of the opinion that if these lands are deleted there is no need to include the adjacent Escarpemnt Rural Area in Lot 24. We recommend that it be deleted.

File No. 100-74 **Page** 660 **Submission No.** 544

Name: Grandoni

Land: Part Lots 99, 104, 107, City of Niagara Falls.

Submission: Put more emphasis on agriculture.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

File No. 100-47 **Page** 661 **Submission No.** 545

Name: Stephen Jakymin.

Land: Part Lots 18 and 19, Concession 3 and 4, Town of Lincoln.

Proposed Plan: Escarpment Protection.

Submission: Wants to be free to operate farm without Niagara Escarpment Commission approval or be removed from Plan.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: NONE.

Reason: See N.E.C. recommendations, comments and reasons in the general section of this report.

File No. 100-46 **Page** 662 **Submission No.** 546

Name: Paolasini

Land: Part Lot 22, Concession 3, Town of Grimsby.

Proposed Plan: Escarpment Protection.

Submission: Allow rural plans of subdivision in Escarpment Protection.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: NONE

Reason: See N.E.C. recommendations on the Hearing Officers' Recommendation No. 11 in the general section of this report.

File No. 100-7 **Page** 664 **Submission No.** 548

Name: T.C.G. Materials Limited.

Land: Part Lots 6 & 7, Concession 7, Town of Pelham.

Proposed Plan: Escarpment Rural and Mineral Resource.

Submission: Delete.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

File No. 100-57 **Page** 672 **Submission No.** 554

Name: Niagara Region Chamber of Commerce.

Submission:

1. Limit area of control.
2. Compensate existing property owners.
3. Make final recommendations immediately.
4. Return control to local municipalities.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

File No. 100-59 **Page** 673 **Submission No.** 555

Name: Biggar

Land: Part Lot 2, Concession 5, Town of Lincoln (Clinton).

Proposed Plan: Escarpment Natural, Escarpment Protection.

Submission: Redesignate to Escarpment Rural to allow subdivision.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: NONE.

Reason: See N.E.C. recommendation on Hearing Officers' Recommendation No. 11 in the general section of this report.

File No. 100-33 **Page** 675 **Submission No.** 556

Name: Zmenak.

Land: Part Lot 11, Concession 5, Town of Lincoln (Clinton)

Proposed Plan: Escarpment Protection, Escarpment Natural.

Submission: Speed up acquisition process.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

File No. 100-79 **Page** 676 **Submission No.** 557

Name: Devesne

Land: Part Lot 835, Corp. Plan 6, City of St. Catharines.

Proposed Plan: Area of Direct Provincial Interest.

Submission: Redesignate to Urban.

Hearing Officers' Recommendation: Designate property Urban.

N.E.C. Recommendation: ACCEPT.

File No. 100-80 **Page** 677 **Submission No.** 558

Name: T. G. Bright and Co. Limited.

Land: Part Lots 6, 7, 13, 14, 27, 28, City of Niagara Falls.

Proposed Plan: Escarpment Natural, Escarpment Protection, Escarpment Rural.

Submission: Delete all Escarpment Rural lands.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

File No. 100-31 **Page** 684 **Submission No.** 563

Name: M. L. Bartsch.

Land: Part Lot 15, Concession 5, Town of Lincoln.

Proposed Plan: Escarpment Protection.

Submission: Delete or change to Escarpment Rural.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: NONE.

Reason: See N.E.C. recommendation on Hearing Officers' Recommendation No. 11 in the general section of this report.

File No. 100-43 **Page** 686 **Submission No.** 564

Name: Blair and John Hansler.

Land: Part Lot 3, Concession 5, Town of Pelham.

Proposed Plan: Escarpment Protection.

Submission: Wants to be able to proceed with development or be removed from Plan.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: NONE.

Reason: See N.E.C. recommendation on Hearing Officers Recommendation No. 11 in the general section of this report.

File No. 100-127 **Page** 687 **Submission No.** 565

Name: J. B Thompson.

Land: Part Lot 7, Concession 5, Town of Lincoln.

Proposed Plan: Escarpment Natural and Escarpment Protection.

Submission: Wants to be able to subdivide property or be removed from Plan.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: NONE.

Reason: See N.E.C. recommendation on Hearing Officers Recommendation No. 11 in the general section of this report.

File No. 100-128 **Page** 688 **Submission No.** 566

Name: Kampco Recreation Limited.

Land: Part Lots 17 and 18, Concession 5, Town of Lincoln.

Proposed Plan: Escarpment Protection.

Submission: Wants to be able to develop land in future. Wants to be removed from Proposed Plan.

Hearing Officers' Recommendations: None.

N.E.C. Recommendation: NONE.

Reason: See N.E.C. recommendation on Hearing Officers Recommendation No. 11 in the general section of this report.

File No. 100-96 **Page** 692 **Submission No.** 570

Name: Neil Main.

Land: Part Lot 5, Concession 7, Town of Pelham.

Proposed Plan: Escarpment Protection.

Submission: General statement of support for Proposed Plan.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: NONE.

Reason: See N.E.C. recommendation on Submission 489 (Regional Municipality of Niagara).

File No. 100-103 **Page** 712 **Submission No.** 590

Name: Sandra Walker.

Land: Part Lot 6, Concession 4, Town of Pelham.

Proposed Plan: Escarpment Natural and Escarpment Protection.

Submission: Statement of general support for Proposed Plan, but felt there should be less restrictions on land severances for full-time farmers.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: NONE.

Reason: See N.E.C. recommendations, comments and reasons in the general section of this report.

File No. 100-65 **Page** 716 **Submission No.** 594

Name: Sametz.

Land: Part Lot 1, Concession 2, Town of Grimsby.

Proposed Plan: Escarpment Natural , Escarpment Protection.

Submission: Would like to develop lands for retirement community.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: NONE.

Reason: See N.E.C. recommendations, comments and reasons in the general section of this report and N.E.C. comments on the Hearing Officers' Recommendation No. 11.

File No. 100-9 **Page** 717 **Submission No.** 595

Name: Coalition on the Niagara Escarpment.

Submission: In this submission the Coalition on the Niagara Escarpment took five major issues in which they are interested and developed each. These are as follows:

1. Jordan Harbour, Marsh and Twenty Mile Creek.
2. Lake Moodie - Lake Gibson Area.
3. Recommended deletions by the Regional Government.
4. Bruce Trail in the Regional Municipality of Niagara.
5. Short Hills and Kame Area.

During this brief, the Coalition on the Niagara Escarpment again emphasized the necessity of not allowing any deletions which would interfere with the continuous aspect of the Proposed Plan.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: NONE.

Reason: See N.E.C. recommendations, comments and reasons in the general section of this report and on Submission 489 (Region of Niagara).

File No. 100-133 **Page** 718 **Submission No.** 596

Name: Melnechuk

Land: Part Lot 23,Concession 6, Town of Lincoln (Louth).

Proposed Plan: Escarpment Protection.

Submission: Redesignate to Escarpment Rural.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

File No. 100-135 **Page** 721 **Submission No.** 599

Name: Csets

Land: Part Lot 15, Concession 4, Town of Lincoln (Clinton).

Proposed Plan: Escarpment Rural.

Submission: Delete.

Hearing Officers' Recommendation: Delete.

N.E.C. Recommendation: REJECT.

Reason: The Urban Area boundary of the Town of Lincoln (Beamsville) is considered the correct boundary for the Plan in this area.

File No. 100-62 **Page** 725 **Submission No.** 603

Name: Steed and Evans Limited.

Land: Part Lots 4 and 5, Concession 6, Town of Pelham.

Proposed Plan: Escarpment Natural, Escarpment Protection.

Submission: Delete.

Hearing Officers' Recommendation:

1. Delete.
2. That consideration be given by the Commission to deleting from the Plan all lands south of Metler Road in this area.

N.E.C. Recommendations:

1. REJECT.
2. ACCEPT. CONSIDER AND DO NOT DELETE.

Reasons:

1. a) The property lies immediately above the Escarpment brow and is an important part of lands in its vicinity.
   b) The property forms part of the Fonthill Kame-Delta which has been identified by the Ministry of Natural Resources as a unique geological feature of provincial significance.
   The Fonthill Kame-Delta is a very prominent feature of the landscape. Only the closest, most geologically significant and aesthetically prominent portions of the feature have been retained in the Proposed Plan.
   c) The property forms part of the headwater area of the Twelve Mile Creek, the only cold water stream in the Niagara Region. It has been identified as a significant fisheries stream by the Ministry of Natural Resources.
   d) The forested slope of the property is a significant natural area.

e) The site is important both historically and archaeologically.

f) Both the Region of Niagara and the Town of Pelham recommended that this area remain within the Niagara Escarpment Plan.

2. a) The lands south of Metler Road should not be deleted for the same reasons as given above.

b) The Lookout Point Golf and Country Club and many local residents in this area appeared at the Proposed Plan hearing and expressed their desire to remain in the Plan.

File No.100-142 **Page** 736 **Submission No.** 677

Name: McKinlay.

Land: Part Lot 22, Concession 2, Town of Grimsby.

Proposed Plan: Escarpment Protection.

Submission: May wish future development.

Related Submission: 489

Hearing Officers' Recommendtion: None.

N.E.C. Recommendation: NONE

Reason: See N.E.C. recomendation on the Hearing Officers' Recommendation No. 11 in the general section of this report and N.E.C. recommendations on Submission 489 (Region of Niagara).

RESPONSE TO VOLUME 3 - PHASE 2

REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

The following Phase 2 submissions in the Regional Municipality of Hamilton-Wentworth were in general support of the Proposed Plan.

Name	**File No.**	**Submission No.**	**Page**
Waterdown-East Flamborough Heritage Society	200- 4	99	804
Roy E. Dunford	200-10	87	788
John Cooper	200-30	89	790
Iroquoia Bruce Trail Club	200-15	91	792

Submission: Supports the Proposed Plan.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

The following Phase 2 submissions in the Regional Municipality of Hamilton-Wentworth involved mapping errors where the Commission recommended designation changes and the landowners concurred.

Name	**File No.**	**Submission No.**	**Page**
Ms. Monica Adams	200-39	107	812
David E. Diamond	200- 6	108	813
S. T. Obranovich	200-31	114	819
Ms. Helen Desroches	200- 7	115	820
Taro Properties Limited	200-24	116	821

Submission: Concur with the designation changes.

Hearing Officers' Recommendation: Redesignate.

N.E.C. Recommendation: ACCEPT.

The following Phase 2 submissions in the Regional Municipality of Hamilton-Wentworth involved mapping errors where the Commission recommended that the Escarpment Rural Area be amended to Urban Centre, Outer Area and the landowners disagreed.

Name	File No.	Submission No.	Page
Mr. & Mrs. Alan Hardy	200-35	110	815
Ms. Linda Gisbrenner	200-34	111	816
Ms. Mary Jane Fletcher	200-33	112	817
Mr. & Mrs. John Bunyon	200-32	113	818

Submission: Disagree with the designation change.

Hearing Officers' Recommendation: Redesignate.

N.E.C. Recommendation: ACCEPT.

The following Phase 2 submissions in the Regional Municipality of Hamilton-Wentworth involved mapping errors where the Commission included lands within the Plan (City of Hamilton) by error. The Hearing Officers recommended deletion.

Name	File No.	Submission No.	Page
Ronald Pavlovich	200-4	106	811
Mrs. Nancy Wills and Mrs. Marguerite R. Wills	200-38	109	814
Mr. & Mrs. L. Dawns	200-36	103	808
Mr. & Mrs. John Gardiner	200-37	102	807

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

File No. 200-5 **Page** 765 **Submission No.** 78

Name: Regional Municipality of Hamilton-Wentworth.

Submission:

1. (a) Revise 2.3 and 2.4 to ensure that proposed severances conform with local and regional policies.
   (b) Clarify permitted development in Winona.
   (c) Clarify which areas of Waterdown are within the Area of Direct Provincial Interest designation.
   (d) Substitute "municipal" for "local" in line 3 of Section 2.6.3.
   (e) Clarify what happens when a municipality doesn't identify agricultural soils. Refer to Classes 1 and 2 only.
   (f) Allow for sub-delegation to area municipalities.
   (g) Ensure that this Plan won't prohibit the East-West, North-South Freeway.
   (h) Remove islands between Parkway Belt and Escarpment Plans.
   (i) Substitute Urban Centre designation for Escarpment Protection on lands south of 5 and east of 6.
   (j) Recognize the Dundas Valley for acquisition.
   (k) Provide flexible funding for acquisition.
2. (a) Lands granted by a developer as Escarpment Planning requirements shouldn't necessarily be considered for parkland dedication.
   (b) Use zoning by-law and site planning provisions within Urban Centres.
   (c) Amend Map 2 to conform to Exhibit B of the City of Hamilton's East Mountain Industrial Park.
   (d) Reduce Escarpment Protection fronting on Highway 8 east of Fruitland Road.
   (e) Redesignate urban lands in Stoney Creek and Dundas to Urban Group Two.

(f) Provide for 10 hectare minimum lot area in the Escarpment Protection designation.

(g) Use Ontario Municipal Board on appeals.

(h) The Province of Ontario should be more active in heritage preservation.

(i) Delete Escarpment Rural Areas in the Township of Flamborough bounded by Highway 52 (west), Regional Road 39 (north), Inksetter Road (east), and Highway 99 (south) from the Plan.

(j) Redesignate land bounded by Old Ancaster Road, Montgomery Drive and Wilson Street in the Town of Ancaster from Escarpment Protection Area to Urban Centre.

Hearing Officers' Recommendation:

1. (a-h) None.
   (i) Change to Urban Centre.
   (j & k) None.
2. (a-h) None
   (i) Delete.
   (j) Change from Escarpment Protection to Urban Centre.

N.E.C. Recommendation:

1. (a-e) ACCEPT.
   (f) NONE.
   Reason: See N.E.C. recommendations, comments and reasons in the general section of this report.
   (g-h) ACCEPT.
   (i) ACCEPT.
   (j & k) ACCEPT.
2. (a-e) ACCEPT.
   (f) NONE.

Reasons:

1. See N.E.C. recommendations, comments and reasons in the general secton of this report.
2. The setting of a minimum lot size is the proper planning function of a municipality.

(g-h) **ACCEPT.**

(i) **ACCEPT WITH MODIFICATIONS.**

Reasons:

1. Lands draining into the Dundas Valley should remain within the Plan.
2. Lands adjacent to Inksetter Road are required for a visual buffer.
3. Delete built-up area of Copetown.

(j) **ACCEPT.**

File No. 200-13 **Page** 751 **Submission No.** 75

Name: Town of Stoney Creek.

Submission:

1. Geographic area within the Plan is too large.
2. Change Urban Group classification.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

File No. 200-9 **Page** 753 **Submission No.** 76

Name: City of Hamilton.

Submission:

1. Amend the Plan to provide for the East Mountain Industrial Area.
2. Provide the City of Hamilton with the authority to administer development control.

Hearing Officers' Recommendation:

1. That the areas covered by Official Plan Amendments 276 and 346 (East Mountain Industrial Area) be deleted from the Plan.

N.E.C. Recommendation: ACCEPT.

File No. 200-28 **Page** 776 **Submission No.** 82

Name: Town of Ancaster.

Submission:

1. The Escarpment Natural Area boundary adjacent to Terrace Park Drive, Beverly Court and Blair Lane be adjusted to reflect ravine and table lands more accurately.
2. Designate Clearview Estates Annex Subdivision Urban Centre, Outer Area.
3. Redesignate lands of Sister Servants of Mary Immaculate from Area of Direct Provincial Interest to Outer Area.
4. Redesignate lands dealt with by Amendment No. 149 from Escarpment Protection to Urban Centre, Outer Area.
5. Include houses fronting on the west side of Old Dundas Road between Wilson Street and Montgomery Drive extended in Urban Centre, Outer Area.
6. Redesignate High Park Estate subdivision from Area of Direct Provincial Interest to Outer Area.

7 a) Adjust the southern boundary of the Area of Direct Provincial Interest to coincide with the outer edge of the Lime Kiln Road Neighbourhood.

b) Redesignate the southern portion of lands owned by Martin from Area of Direct Provincial Interest to Outer Area.

c) Redesignate lands south of Ancaster Heights from Area of Direct Provincial Interest to Outer Area (Martin).

8. Redesignate certain lands owned by Mr. Banting from Area of Direct Provincial Interest to Outer Area.
9. Reduce Outer Area designation east of Highway 403 to those lands approved for urban development.

Hearing Officers' Recommendation: Accept.

N.E.C. Recommendation:

1. ACCEPT.
2. ACCEPT.
3. ACCEPT WITH MODIFICATION. Escarpment rock cliff and associated tree cover should remain.
4. ACCEPT.
5. ACCEPT.
6. ACCEPT WITH MODIFICATION.

   Reason: That part of the property which includes the Escarpment rock cliff and associated tree cover should be designated Escarpment Natural.

7 a) ACCEPT.

  b) REJECT.

   Reason: Boundary interpretation on the site would allow the severance of the two existing houses. Therefore, there is no need to redesignate.

  c) REJECT.

   Reason: Boundary interpretation on the site would provide for some development. Therefore, there is no need to redesignate.

8. REJECT.

   Reason: The lands in the south are located on a terrace between two Escarpment rock faces and are part of the Escarpment. In the north, boundary interpretation would provide for some development.

9. ACCEPT.

File No. 200-21 **Page** 797 **Submission No.** 94

Name: Township of Flamborough.

Submission:

1. Delete lands west of the Canadian Pacific Railway line in the vicinity of Carlisle.
2. Use zoning within the former Village of Waterdown.

Related Submission: 78, (Regional Municipality of Hamilton-Wentworth).

Hearing Officers' Recommendation: Concur with the first request regarding the C.P.R. right-of-way.

N.E.C. Recommendation: ACCEPT.

File No. 200-2 **Page** 755 **Submission No.** 77

Name: Hamilton Region Conservation Authority.

Land: That area of the Proposed Plan within the Hamilton Region Conservation Areas watershed.

Submission: Comments and recommendations on:

a) Conservation areas;
b) Other public lands;
c) Private lands; and
d) Property boundary corrections.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

File No. 200-19 **Page** 772 **Submission No.** 79

Name: Weatheridge Group Ltd.

Land: Part of Lots 1 and 2, Concession 1, Township of Flamborough.

Proposed Plan: Escarpment Natural, Protection and Rural.

Submission: Change some of the Escarpment Protection to Rural.

Hearing Officers' Recommendation: None

N.E.C. Recommendation: NONE.

Reasons: See N.E.C. recommendations, comments and reasons in the general section of this report.

File No. 200-20 **Page** 774 **Submission No.** 80

Name: J. B. Puddicombe and Son Limited.

Land: Lot 1, Concessions 2 and 3, Town of Stoney Creek.

Proposed Plan: Escarpment Natural and Protection.

Submission: Reduce the area of the Plan to the base and top of the Escarpment.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: NONE.

Reasons: See N.E.C. recommendations, comments and reasons in the general section of this report.

File No. 200-14 **Page** 775 **Submission No.** 81

Name: Clock Investments Limited.

Land: Part Lot 21, Concession 4, Town of Stoney Creek.

Proposed Plan: Escarpment Rural and Protection.

Submission: Delete.

Hearing Officers' Recommendation: That only the Escarpment Rural Area be deleted from the Proposed Plan.

N.E.C. Recommendation: ACCEPT.

Modification: Delete lands to the south as well to square off Plan boundaries.

File No. 200-8 **Page** 780 **Submission No.** 83

Name: Kenneth E. Martin.

Land: Part Lots 48 and 49, Concession 2, Town of Ancaster.

Proposed Plan: Urban Centre: Area of Direct Provincial Interest and Outer Area.

Submission:

1. Redesignate lands surrounding the existing homes and lands to the west to Outer Area.
2. Redesignate lands south of Ancaster Heights Subdivision to Outer Area.

Related Submission: Submission 82 (Town of Ancaster).

Hearing Officers' Recommendation: None

N.E.C. Recommendation: NONE.

Reason: See N.E.C. recommendations on Submission 82 (Town of Ancaster).

File No. 200-16 **Page** 782 **Submission No.** 84

Name: Fenwood Development Limited.

Land: Part Lots 48 and 49, Concession 2, Town of Stoney Creek.

Proposed Plan: Urban Centre:Area of Direct Provincial Interest and Outer Area.

Submission: Redesignate certain lands from Area of Direct Provincial Interest to Outer Area.

Related Submission: Submission 82 (Town of Ancaster).

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: NONE

Reason: See N.E.C. recommendation on Submission 82 (Town of Ancaster).

File No. 200-29 **Page** 784 **Submission No.** 85

Name: Dr. Frederick J. Wright.

Land: 540 Wilson Street East, Town of Ancaster.

Proposed Plan: Urban Centre, Outer Area and Area of Direct Provincial Interest.

Submission: Adjust the Plan's policies or designations to enable the creation of 3 lots.

Related Submission: Submission 82 (Town of Ancaster).

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: NONE.

Reasons: See N.E.C. recommendation on to Submission 82 (Town of Ancaster).

File No. 200-18 **Page** 786 **Submission No.** 86

Name: Royal Botanical Gardens.

Submission:

1. Include all of the Escarpment and adjacent lands in Hamilton-Wentworth in the Plan.
2. The Niagara Escarpment Commission should retain control of lands on both sides of Rock Chapel Road in Lots 18, 19 and 20 in Concession 2, (Township of Flamborough), and on both sides of Borer's Creek.
3. The Royal Botanical Gardens is concerned about deteriorating water quality in streams flowing into Cootes Paradise.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

File No. 200-17 **Page** 789 **Submission No.** 88

Name: Victor L. Dukeshire.

Land: Part Lot 34, Township of Flamborough.

Proposed Plan: Escarpment Protection and Natural.

Submission: Amend the designations to permit estate residential development.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: NONE.

Reasons: See N.E.C. recommendations, comments and reasons in the general section of this report.

File No. 200-12 **Page** 791 **Submission No.** 90

Name: G. E. Mitchell.

Land: Part Lot 50, Concession 2, Town of Ancaster.

Proposed Plan: Escarpment Rural and Urban Centre, Area of Direct Provincial Interest.

Submission: Allow for subdivision of the lot into 4 parcels.

Related Submission: 82 (Town of Ancaster).

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

File No. 200-22 **Page** 794 **Submission No.** 92

Name: Glendale Golf and Country Club.

Land: East side of Mount Albion Road, City of Hamilton.

Proposed Plan: Urban Centre, Area of Direct Provincial Interest.

Submission: Reinstate the potential for future urban development.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: NONE.

Reason: See N.E.C. recommendation on Hearing Officers' Recommendation No. 11 in the general section of this report.

File No. 200-23 **Page** 796 **Submission No.** 93

Name: Donald E. Tidey

Land: Part Lot 4, Concession 1, Township of Flamborough.

Proposed Plan: Escarpment Rural.

Submission: Delete.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

File No. 200-25 **Page** 799 **Submission No.** 95

Name: Dr. Catherine Beattie.

Submission:

1. There is inadequate enforcement of existing regulations.
2. Regulations are too limited.
3. Development appeal procedures are inadequate and biased in favour of the user.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

File No. 200-3 **Page** 800 **Submission No.** 96

Name: Ontario Trail Riders' Association.

Submission: Include in the Proposed Plan a continuous route for horseback riding.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

File No. 200-26 **Page** 801 **Submission No.** 97

Name: Andrew Bodner and Alan Daly.

Land: Part Lot 1, Concesson 6, Township of Flamborough.

Proposed Plan: Escarpment Protection.

Submission: Redesignate to Escarpment Rural.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

File No. 200-27 **Page** 802 **Submission No.** 98

Name: Frank J. Martin.

Land: Part Lot 5, Concessions 2 and 3, Town of Stoney Creek.

Proposed Plan: Escarpment Protection, Natural and Minor Urban Centre.

Submission: Redesignate for urban development.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

File No. 200-11 **Page** 805 **Submission No.** 100

Name: Alan H. Towsley

Land: Part Lot 4, Concession 8, Township of Flamborough.

Proposed Plan: Delete.

Related Submission: 94 (Township of Flamborough).

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

File No. 200-1 **Page** 806 **Submission No.** 101

Name: Allarco Developments Limited.

Land: Part Lots 53 and 54, Concession 2, Town of Ancaster.

Proposed Plan: Mapping error. Urban Centre, Area of Direct Provincial Interest and Outer Area.

Submission: Redesignate certain lands to Urban Centre, Outer Area.

Hearing Officers' Recommendations: None.

N.E.C. Recommendation: ACCEPT.

File No. 200-42 **Page** 809 **Submission No.** 104

Name: Donna Sprentz.

Land: 490 Old Dundas Road, Town of Ancaster.

Proposed Plan: Mapping error. Escarpment Protection Area should be changed to Urban Centre, Area of Direct Provincial Interest.

Submission: Disagree.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

File No. 200-41 **Page** 810 **Submission No.** 105

Name: Mrs. Elizabeth Di Gregorio.

Land: Lot 46, Concesson 2, Town of Ancaster.

Proposed Plan: Mapping error. Escarpment Protection Area should be changed to Urban Centre, Outer Area.

Submission: Delete.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

File No. S200-44 **Page** 822 **Submission No.** 604

Name: Watergate Investments Limited.

Land: Part Lot 12, Concession 3, Township of Flamborough.

Proposed Plan: Escarpment Protection and Urban Centre, Outer Area.

Submission: Modify the Plan to allow industrial development.

Related Submission: Submission 78, (Regional Municipality of Hamilton-Wentworth).

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: NONE

Reasons: See N.E.C. recommendation on Submission 78 (Regional Municipality of Hamilton-Wentworth).

File No. S200-47 **Page** 823 **Submission No.** 605

Name: R. T. Sherwin.

Land: Part Lots 23 and 24, Concession 2; Part Lot 23, Concession 3, Township of Flamborough.

Proposed Plan: Escarpment Protection.

Submission: Delete.

Hearing Officers' Recommendation: Delete.

N.E.C. Recommendation: REJECT.

Reasons:

1. The deletion of these lands would conflict with the Act's purpose which is to ensure that the Plan provides for a substantially continuous Escarpment corridor.
2. The lands are part of the visual frame of the Escarpment.
3. Neither the Township of Flamborough nor the Regional Municipality of Hamilton-Wentworth requested the deletion of these lands.

File No. S200-48 **Page** 824 **Submission No.** 606

Name: Celeste Iacobelli

Land: Part Lot 10, Concession I, Township of Flamborough.

Proposed Plan: Minor Urban Centre.

Submission: Difficulty resolved because the lands are in the Minor Urban Centre designation.

Hearing Officers' Recommendaton: None.

N.E.C. Recommendation: ACCEPT.

File No. S200-45 **Page** 825 **Submission No.** 607

Name: Save the Valley Committee.

Submission:

1. Redesignate the Red Hill Creek a Provincially Significant Nature Area.
2. Revise the permitted uses under Section 2.6.2(a) by adding No. 6 "except the proposed Red Hill Creek Expressway."
3. Acquire the Red Hill Creek Valley and Marsh.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

File No. S200-46 **Page** 826 **Submission No.** 675

Name: Dundana Homes Limited.

Land: Rorke Hills Subdivision, Town of Dundas.

Proposed Plan: Escarpment Natural and Urban Centre:Outer Area.

Submission: Remove the Escarpment Natural Area designation from the property.

Hearing Offices' Recommendation: Designate the whole property Urban Centre.

N.E.C. Recommendation: ACCEPT.

RESPONSE TO VOLUME 3 - PHASE 2

REGIONAL MUNICIPALITY OF HALTON

The following Phase 2 submissions in the Region of Halton were in general support of the Proposed Plan.

Name	File No.	Submission No.	Page
Charles Cecile	300-54	331	854
Miss Catherine Whaley	300-18	333	857
Mrs. Janet Watkins	300-15	334	858
David Greenfield	300-20	335	859
Ontario Trail Riders' Association	300-43	338	862
Halton Field Naturalists	300- 7	339	863
John E. Mitchell	300-37	343	868
L. R. L. Symmes	300-48	344	869
Ontario Rock Climbing Association	300-39	352	879
J. P. Charlebois	300-36	356	883
Roman Bandi	300-57	358	891
885 Club of Canada	300-10	362	891
Foundation for Aggregate Studies	300-55	363	892
Ad Hoc Committee of Burlington Citizens	300-59	365	894
Toronto Bruce Trail Club	S300-29	666	967

Submission: Supports the Proposed Plan.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

The following submission in the Region of Halton were made by individual members of the Speyside Ratepayers' Association and were in general support of the Proposed Plan.

Name	File No.	Submission No.	Page
Ken Bilton	S300-71	610	915
Marjorie Bilton	S300-72	611	916
Martin J. McDonell	S300-76	612	917
Frances M. McDonell	S300-73	613	918
Jean Falls	S300-60	614	919
Jack D. Pemberton	S300-68	615	920
Mrs. J. Reed	S300-69	616	921
Earle Harrison	S300-77	617	922
Deborah Boycott	S300-78	618	923
Mr. & Mrs. R. C. McKeehen	S300-79	619	924
Carlo T. Toccalino	S300-117	620	925
Carlo F.Toccalino	S300-117	621	926
Louis Toccalino	S300-118	622	927
Michael Toccalino	S300-119	623	928
Jeanette Toccalino	S300-123	624	929
Stako Barac	S300-80	625	930
Mirka Barac	S300-80	626	931
Mr. & Mrs. Barry Spaldin	S300-82	627	932
Mrs. Barbara Van Sickle	S300-84	628	933
Fred Van Sickle	S300-85	629	934
Douglas J. T. Falls	S300-87	630	935
Kenneth Wood	S300-88	631	936
Janet Wood	S300-89	632	937
Mrs. Gloria Walton	S300-90	633	938
Andrew Walton	S300-91	634	939
Mrs. Barbara Walton	S300-92	635	940
David Walton	S300-93	636	941
James B. Kenzie	S300-94	637	942
J. A. Swan	S300-95	638	943
Lois M. Swan	S300-96	639	944
A. J. Toccalino	S300-97	640	945
Guido De Rycke	S300-98	641	946

Mrs. Marianne Bronder	S300-100	642	947
Mrs. Kearen Toccalino	S300-99	643	948
Mrs. V. Chornook	S300-101	644	949
Mrs. Pamela Sheldon	S300-104	645	950
Mr. & Mrs. D. W. Fairles	S300-105	646	951
Steve Mokrytzki	S300-106	647	952
Boris Mokrytzki	S300-107	648	953
Mrs. Vera V. Mokrytzki	S300-108	649	954
Mrs. Laura Bayly	S300-109	650	955
Mr. & Mrs. Phil Diamond	S300-110	651	956
Mr. & Mrs. L. Bigsuitti	S300-126	652	957
Derek Smith	S300-112	658	959
Pam Smith	S300-111	659	960
Dr. & Mrs. Dennis Medland	S300-113	660	961
John Devries	S300-114	661	962
Mrs. Mildred Devries	S300-115	662	963
Laurie E. Reed	S300-121	663	964
W. B. Elsley	S300-125	664	965
David Casson	S300-26	665	966

Submission: Supports the Proposed Plan.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: **NONE.** (See response under Submission 368 (Standard Industries Ltd.)).

In the following Phase 2 submission in the Region of Halton requests were made for deletions from the Proposed Plan. The Hearing Officers did not recommend the deletions, and we recommend the acceptance of the Hearing Officers' recommendations.

Name	File No.	Submission No.	Page
Mr. & Mrs. James O'Reilly	300-5	340	864
Harold Hurren	300-14	341	865
William F. Penson	300-25	348	874

Submission: Delete.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

File No. 300-11 **Page** 843 **Submission No.** 326

Name: Regional Municipality of Halton.

Submission: The submission by the Regional Municipality of Halton was made in support of the Proposed Plan with certain proposals for change.

Halton Region recommends that the criteria for Escarpment Natural Areas in the Proposed Plan be more extensive than it is and include the Halton Environmentally Sensitive Areas.

Each Environmentally Sensitive Area was reviewed by the municipality and it is noted that the boundaries of the Commission's Escarpment Natural lands are, with a few exceptions, consistent with those of the Halton Environmentally Sensitive Areas. Where inconsistencies are evident the region would like the Escarpment Natural designation extended to strengthen the Proposed Plan.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

File No. 300-16 Page 845 Submission No. 327

Name: City of Burlington.

Submission:

1. Recommends the Escarpment Natural Areas designation replace the Escarpment Rural Areas designation along Limestone Creek (Area 1 a).
2. Recommends the Escarpment Natural Areas designation replace the Escarpment Protection and Escarpment Rural designations along Bronte Creek and along the valley lands west of Cedar Springs Road (Area 1 b).
3. Recommends the Escarpment Natural Areas designation replace the Escarpment Protection Areas designation from Guelph Line to Cedar Springs Road (Area 1 c).
4. Recommends the Escarpment Natural Areas designation replace the Escarpment Protection Areas designation around Mount Nemo (Area 1 d).
5. Recommends that since one of the priorities of this Plan is the protection of the Escarpment ridge itself, this ridge should then be identified on the final Niagara Escarpment Plan maps (Area 1 d).
6. Recommends the Escarpment Protection Areas designation replace the Escarpment Rural Areas designation west of Cedar Springs Road (Area 2 a).
7. Recommends the Escarpment Rural Areas designation replace the Escarpment Protection Areas designation along Britannia Road (Area 3 a).
8. Recommends the Escarpment Rural Areas designation replace the Escarpment Protection Areas designation along and near Blind Line (Area 3 b).
9. Recommends that the Escarpment Protection Areas boundary be moved eastward from Mount Nemo Crescent and be replaced by the Escarpment Rural Areas designation (Area 3 c).
10. Recommends that the Escarpment Protection Area designation be replaced by an Escarpment Rural Areas designation near the Village of Kilbride (Area 3 d).
11. Recommends that the Minor Urban Centre designation - Alfred Harris Gardens located at No. 2 Sideroad and Cedar Springs Road, be deleted from the map.
12. Recommends that Lake Medad be acquired as a future Nature Reserve Park.

13. Recommends that the undeveloped areas on the slopes of the Escarpment in the Mount Nemo area be acquired and preserved for recreational purposes.

Hearing Officers' Recommendations:

1-10 None.

11. That the Minor Urban Centre designation for Alfred Harris Gardens be deleted.

12-13 None.

N.E.C. Recommendations:

1, 3, 9 REJECT.
2, 4-8, 10-11 ACCEPT.
12,13 NONE.

Reasons:

1. At the hearing, the Commission's evidence in support of Burlington's recommendation evidence was that the change in designation along Limestone Creek from Escarpment Rural Area to Escarpment Natural Area was appropriate since it met the following criterion for Escarpment Natural Area: "the most signficant stream valleys and wetlands associated with the Escarpment."

3. At the hearing, the Commission's evidence was that although it could not support all of the area recommended by Burlington it agreed that the undisturbed Escarpment slopes through this area should be designated Escarpment Natural Area in accordance with the following designation criterion: "the least disturbed Escarpment slopes based on landforms associated with the underlying bedrock."

9. At the hearing the Commission's evidence concurred with Burlington's recommendation that the Escarpment Protection Area could be replaced by the Escarpment Rural east of Mount Nemo.

12. See N.E.C.'s recommendations, comments and reasons in the general section of this report dealing with acquisition.

13. See N.E.C.'s recommendations, comments and reasons in the general section of this report dealing with acquisition.

File No. 300-31 **Page** 849 **Submission No.** 328

Name: Town of Halton Hills.

Related Submission: 368, Standard Industries Ltd.

Submission:

1. The town is satisfied with the permitted uses of the Plan, save for wayside pits and these should not be permitted in the designations proposed. It notes that this use is permitted in the Plan's Escarpment Rural Areas and also in the town's Rural Areas as indicated in its official plan. Should this use remain in the Escarpment Protection Areas and Escarpment Rural Areas, the town requests strict control with substantial municipal involvement in the approval process.
2. An asphalt plant should not be an accessory use where it would affect the natural environment, especially in the Escarpment Protection Area.
3. Implementation of the Proposed Plan should be further delegated to both town and region since at present planning approvals are joint endeavours.
4. More input is sought by the town when the implementation procedure is decided.
5. The Town of Halton Hills has considered the designations in the Proposed Plan with respect to the Standard Industries site and has considered the designations as appropriate.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: NONE.

Reasons: See N.E.C. recommendations , comments and reasons in the general section of this report, and the Commission's recommendations on Submission 368, (Standard Industries Ltd.).

File No. 300-35 **Page** 910 **Submission No.** 372

Name: Town of Milton.

Submission: This submission is in support of the Proposed Plan and points out two areas of concern to the Town of Milton:

1. "The town's ability to be involved in the review and control of pit and quarry operations in those areas designated 'Mineral Resource'."
2. "The non-inclusion of the Proposed Plan of a small parcel of land in Part Lot 10, Concession I, formerly in the Township of Oakville."

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

File No. 300-21 **Page** 851 **Submission No.** 329

Name: Credit Valley Conservation Authority.

Submission:

1. This submission made the following recommendations in connection with park names.

   Re: Section 3.7 of the Proposed Plan:

   No. 76 Terra Cotta South - change to Terra Cotta Conservation Area.

   No. 77 Silver Creek - change to Silver Creek Conservation Area.

   No. 78 Limehouse - change to Limehouse Conservation Area.
2. This submission also made several recommendations requesting that the Proposed Plan include reference in several sections that Conservation

Authority approval is also required. The following sections are referred to in this regard:

2.9.1 - No. 4 - Existing Uses.

2.9.4 - No. 1 - New Development Adjacent to Streams, Lakes and Wetlands.

2.9.4 - No. 3 - New Development Adjacent to Streams, Lakes and Wetlands.

2.9.5 - Numbers 1 to 7 - New Development Adjacent to Ravines.

3. In addition, the submission also made the following recommendations:

2.9.5 - Definition of "Ravine" should be included in the Plan.

2.9.6 - No. 3 - All slopes should be included and not just those in excess of 25%.

2.9.9 - Issue of enforcement should be addressed.

2.9.11 - No. 3 - The term "carrying capacity" should be properly defined or deleted.

2.9.13 - Consideration should be given to including an overlay with designations for Mineral Aggregate Areas expected to be depleted and/or rehabilitated within the term of the Proposed Plan.

4. Further concern was expressed that the Proposed Plan did not properly take into account the land acquisition program of the authority and it was recommended that consideration be given to re-evaluating the "Future Acquisition" section of the Proposed Plan.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: NONE.

Reason: See N.E.C.'s recommendations, comments and reasons in the general section of this report.

File No. 300-12 **Page** 853 **Submission No.** 330

Name: Towsley-Ward Investments Inc.

Land: Part Lot 8, Concession 2 NS, City of Burlington.

Proposed Plan: Escarpment Protection.

Submission: Request that the subject lands proposed designation be changed from Escarpment Protection to Escarpment Rural. The City of Burlington also recommended this change in Submission 327. The evidence of Towsley in this submission was to the effect that the subject lands are suitable for development and that the scarp is some 600 to 800 feet away and is perhaps buried some 80 feet.

Related Submission: 327 (City of Burlington).

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT WITH MODIFICATIONS.

Reasons:

1. The Commission concurs with the Hearing Officers that the lands are properly designated.
2. Regarding plans of subdivisions in the Escarpment Protection Area, see the Commission's recommendations on the Hearing Officers' Recommendation No. 11 in the general section and Minor Urban Centre policies section of this report.

File No. 300-8 **Page** 855 **Submission No.** 332

Name: Cedar Springs Community Club.

Land: Part Lot 7, Concession 1 NS and Part Lots 6, 7 and 8, Concession 2 NS, City of Burlington.

Proposed Plan: Escarpment Natural and Escarpment Protection.

Submission: Request that the designation be changed to Escarpment Recreation to allow provision for the development of 11 new cottages.

Related Submission: Related Submission 300-16 (City of Burlington).

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT WITH MODIFICATIONS.

Reasons:

1. The Commission concurs with the Hearing Officers that the lands are properly designated.
2. Regarding plans of subdivisions in the Escarpment Protection Area, see the Commission's recommendations on the Hearing Officers Recommendation No. 11 in the general section of this report.

File No. 300-28 **Page** 860 **Submission No.** 336

Name: United Ceramics Limited.

Land: Part Lots 14 and 15, Concession 1 NS, Town of Milton.

Proposed Plan: Escarpment Rural.

Submission: The subject lands are designated Escarpment Rural. This submission requested that the subject lands be excluded from the Proposed Plan or in the alternative that the Proposed Plan be amended to recognize the subject lands as a Mineral Resource Area. The Region of Halton Official Plan shows the subject lands as being a Mineral Resource Protection Area.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: NONE.

Reasons: See N.E.C.'s recommendation on the Hearing Officers' Recommendation No. 6 in the general section of this report.

File No. 300-13 **Page** 862 **Submission No.** 337

Name: Harry W. Zahoruk.

Land: 4001 Guelph Line, City of Burlington.

Proposed Plan: Escarpment Protection.

Submission: This submission was concerned with severance policies contained in the Proposed Plan and recommended that where the scarp severs a piece of land into two parts that there be a policy established that such a parcel could be divided in conformity with the New Lots Policy.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

File No. 300-56 **Page** 866 **Submission No.** 342

Name: Samuel Roy Enterprises.

Land: Part Lot 9, Concession II NS and Part Lots 7 & 8, Concession III NS, City of Burlington.

Proposed Plan: Escarpment Rural.

Submission:

1. Requested clarification of the status of the Kilbride and Lowville settlement boundaries.
2. Stated that the Minor Urban Centres section is unworkable due to the arbitrary requirements.
3. Concerned that the lands in Minor Urban Centres are frozen until secondary plans are completed.
4. Requested that:

a) The settlement boundaries approved in Official Plan Amendment No. 81 to the Burlington Planning Area Official Plan be the settlement boundaries for Kilbride and Lowville.

b) Delete the term "Secondary Plan" from the Proposed Plan.

c) Delete the ability for the list of Minor Urban Centres to be changed without amendment to the Proposed Plan.

d) The hearing officers should recognize that once the Proposed Plan for the Niagara Escarpment is approved landowners will be subject to approved arbitrary growth in the Niagara Escarpment Commission Plan, objectives that cannot be quantified and subjective interpretation. The approval of the Niagara Escarpment Plan will require the Region and local official plan to be brought into conformity.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

File No. 300-40 **Page** 870 **Submission No.** 345

Name: Clarence Hewitt.

Land: Part Lot 8, Concession II NS, City of Burlington.

Proposed Plan: Escarpment Protection and Escarpment Natural.

Submission:

1. Requested that the upper tableland portion of the holding be designated Escarpment Rural to permit an open plan-type rural estate subdivision.
2. The following were cited as reason for the request:

a) This allows the secondary plan studies to continue with the same objectives outlined in the Municipal Official Plan Amendment No. 81.

b) This position is supported in Burlington's Submission (No. 327) before the hearing.

c) Region had adopted and, therefore, supports its area municipality and position.

d) Water and sewer capability studies indicate an excellent technical potential for our land in terms of water, sewers and no adverse effects on the existing wells.

e) Such redesignation would not harm the Niagara Escarpment Commission objectives, as low density estates with properly grouped housing units and open space down the centre will still allow a full view of the tree line to the south.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT WITH MODIFICATIONS.

Reasons:

1. The Commission concurs with the Hearing Officers' conclusions that the lands are properly designated.
2. Regarding the plan of subdivision issue, see the Commission's recommendations, comments and reasons in the general section of this report (Minor Urban Centes and Land Use Policies).

File No. 300-49 **Page** 872 **Submission No.** 346

Name: George Book.

Land: East ½ ot 20, Concession IV, Town of Halton Hills.

Proposed Plan: Escarpment Protection.

Submission: Change in designation from Escarpment Protection to Escarpment Rural.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

File No. 300-51 **Page** 873 **Submission No.** 347

Name: J. L. Chisholm.

Land: Part Lot 5, Concession VI, Town of Milton.

Proposed Plan: Escarpment Protection.

Submission: Requested a redesignation from Escarpment Protection to Escarpment Rural.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

File No. 300-44 **Page** 875 **Submision No.** 349

Name: Focus Development Ltd.

Land: Lot 11, Concession I (New Survey), Town of Milton.

Proposed Plan: Escarpment Rural Area.

Submission: Delete because land is more than one mile from the Niagara Escarpment.

Related Submissions: No 58 (Regional Municipality of Halton), No. 372 (Town of Milton).

Hearing Officers' Recommendation: Delete.

N.E.C. Recommendation: REJECT.

Reasons:

1. Neither the Regional Municipality of Halton nor the Town of Milton requested that these lands be deleted. In fact, they recommended that the area to be covered by the Plan be enlarged in this area to include lands east of the C.N. Railway Tracks.
2. The lands are in the vicinity of the Niagara Escarpment and are an essential part of the open landscape character of the Niagara Escarpment and land in its vicinity, and, therefore, they are necessary to meet the purpose and objectives of the Niagara Escarpment Planning and Development Act.

File No. 300-19 **Page** 876 **Submission No.** 350

Name: Islington Investments Ltd.

Land: Part Lot 13, Concession VII NS, Town of Milton.

Proposed Plan: Escarpment Protection.

Submission: Requested that the Proposed Plan be amended in a manner that would permit the development of perhaps up to eight estate residential lots on the subject property.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: NONE.

Reason: See the Commission's recommendation on the Hearing Officers' Recommendation No. 11 in the general section of this report.

File No. 300-52 **Page** 878 **Submission No.** 351

Name: R. D. B. Building Products Limited (Milton Brick).

Land: Lot 1, Concession 1 NS, Town of Milton.

Proposed Plan: Escarpment Protection.

Submission: Requested that the Mineral Resource Area designation be expanded to include the area adjacent to the existing plant.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

Reason: See Commission's recommendation on the Hearing Officers' Recommendation No. 6 in the general section of this report.

File. 300-53 **Page** 880 **Submission No.** 353

Name: Mrs. Mary Biason.

Land: Lot 10, Concession 1 (Former Township of Oakville) Town of Milton.

Proposed Plan: Escarpment Rural Area.

Submission:

Request to be removed from the Proposed Plan because it is flat farmland approximately one mile from the base of the Escarpment slopes.

Hearing Officers' Recommendation: Delete.

N.E.C. Recommendation: ACCEPT.

File No. 300-42 **Page** 881 **Submission No.** 354

Name: Alfred Jurss.

Land: West ½ Lot 2, Concession III NS, City of Burlington.

Proposed Plan: Escarpment Rural.

Submission: Concern was expressed by the applicant that the kind of development he had under consideration would not be permitted by the Proposed Plan. Mr. Jurss wishes to construct dwellings for his family and also to construct ponds.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

File No. 300-22 **Page** 882 **Submission No.** 355

Name: Federation of Ontario Naturalists.

Submission:

1. Aggregate extraction should be called an interim use and where such designations appear there should also be a designated future use.
2. "Essential transportation and utility facilities" should be deleted as a permitted use in the Escarpment Natural Areas.
3. More funds should be provided for public acquisition of lands.
4. More areas should be designated for acquisition priority.
5. Niagara Escarpment Commission should take an active role in other areas not included in the Proposed Plan.
6. Private landowners are the best custodians of land in its natural state.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: NONE.

Reason: See N.E.C. recommendations, comments and reasons in the general section of this report.

File No. 300-41 **Page** 884 **Submission No.** 357

Name: Godfan Holdings Limited.

Land: West ½ Lots 25 & 26, Concession IV, Town of Halton Hills.

Proposed Plan: Escarpment Natural and Escarpment Rural.

Submission: This submission was made primarily to ascertain the location of the line separating the Escarpment Natural and Escarpment Rural designations in the Proposed Plan on the subject property.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

File No. 300-34 **Page** 886 **Submission No.** 359

Name: J. Bryan Vaughan and Dorothy Truax Vaughan.

Land: West Part Lots 28 & 29, Concession XI, Town of Halton Hills.

Proposed Plan: Escarpment Natural and Escarpment Protection.

Submission: The property is located immediately north of the property in Submission 360 (John H. Aiken). The request is to change the portion designated Escarpment Protection to Escarpment Rural to permit the development of estate lots. The change requested would cover some 10 acres of the subject lands.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: NONE.

Reasons: See N.E.C. recommendations on the Hearing Officers' Recommendation No. 11 in the general section of this report regarding plans of subdivision in Escarpment Protection Areas.

File No. 300-61 **Page** 888 **Submission No.** 360

Name: John H. Aiken.

Land: West ½ Lot 28, Concession XI, Town of Halton Hills.

Proposed Plan: Escarpment Protection.

Submission: The subject property is located immediately south of the Vaughan property in Submission 359. As in Submission 359, the request is to change the Escarpment Protection designation to Escarpment Rural.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: NONE.

Reason: See N.E.C. recommendation on the Hearing Officers' Recommendation No. 11 in the general section of this report regarding plans of subdivision in Escarpment Protection Areas.

File No. 300-1 **Page** 890 **Submission No.** 361

Name: Mrs. Gail S. Dodokin

Land: Part Lot 30, Concession X, Town of Halton Hills.

Submission: Request that the subject lands be removed from the Proposed Plan.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

File No. 300-3 **Page** 893 **Submission No.** 364

Name: Coalition on the Niagara Escarpment.

Submission: This submission was in support of the Proposed Plan and made the following comments and recommendations:

1. Supports the submission of the Regional Municipality of Halton (Submission 326).
2. Recommends that Criterion 3 for Escarpment Natural Areas be amended to include regionally important nature areas.
3. In cases where part of an Environmentally Sensitive Area exists and which the Proposed Plan does not designate as Escarpment Natural, that the designation be changed to Escarpment Natural.
4. Recommends that new aggregate extraction licences be restricted in Escarpment Natural and Escarpment Protection Areas.
5. Recommends that asphalt plants not be a permitted use in the Mineral Resource designation.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

File No. 300-2 **Page:** 895 **Submission No.** 366

Name: Mr. & Mrs. J. Prucyk.

Land: Part West ½ Lot 24, Concession VII; Part West ½ Lot 23, Concession VII; and Part West ½ Lot 24, Concession VIII; Town of Halton Hills.

Proposed Plan: Escarpment Natural and Escarpment Protection.

Submission: Request that the subject lands be redesignated Escarpment Recreation Area in order that their plans to construct a lodge and establish intensive indoor and outdoor recreational facilities may be realized.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

File No. 300-30 **Page** 897 **Submission No.** 367

Name: Dufferin Aggregates (Division of Dufferin Materials and Construction Ltd.)

Land: Lots 7 - 12, Concession VII (former Township of Nassagaweya), Part of Lots 8-10, Concession I (former Township of Esquesing).

Submission: The subject lands are covered by a "licence" and are designated Mineral Resource Area by the Proposed Plan and this submission was in support of that desigation.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

File No. 300-17 **Page** 899 **Submission No.** 368

Name: Standard Industries Ltd.

Land: Part Lots 11, 12, 13, 14 and 15, Concession I, II and III, Town of Halton Hills.

Proposed Plan: Escarpment Natural and Escarpment Protection.

Related Submissions 328 (Town of Halton Hills), 610, 652, 658, 665.

Submission: The subject property known as the Speyside property consists of some 600 acres and was purchased in 1960 for the purpose of establishing a mineral aggregate extraction operation. The Proposed Plan places a portion of the lands in an Escarpment Natural designation and the remainder in Escarpment Rural. Standard wishes to have these designations remain but requests that the boundaries of each be altered. In this connection, it is proposed that there is justification for the alteration of these boundaries based on the studies which are contained in the brief and which were carried out by the professional consultants who were retained.

As a result, the following was recommended:

1. There is a need for a high priority mineral resource protection area designation as a matter of good planning and in response to provincial policy.
2. There should be no requirement for amendment to the Niagara Escarpment Proposed Plan in order to establish a mineral aggregate extraction operation in the Escarpment Rural Area, a principle endorsed by the Ministry of Natural Resources.
3. Change the designation of a portion of the subject lands from Escarpment Natural to Escarpment Rural as shown on Tab 6 in the Standard Industries submission as filed.

Hearing Officers' Recommendation: That the Proposed Plan be modified by changing that portion of the Escarpment Natural designation area as shown delineated on the map under Tab 6 of the Standard Industries submission to Escarpment Rural.

N.E.C. Recommendation: REJECT.

Reasons:

1. The Niagara Escarpment Planning and Development Act requires that the Niagara Escarpemnt Plan
   "protect unique ecologic...areas."

and

"to maintain the Niagara Escarpment and land in its vicinity as a continuous natural environment."

The area proposed to be redesignated from Escarpment Natural Area to Escarpment Rural Area has been identified by the Ministry of Natural Resources as an Escarpment Related Life Science Candidate Nature Reserve. The area is considered by the Ministry to contain biological communities which are significant at the provincial scale. The lands, therefore, are appropriately designated as Escarpment Natural Area.

2. The Regional Municipality of Halton, the Town of Halton Hills and the Halton Region Conservation Authority support the Escarpment Natural Area designation on the subject lands and are opposed to the redesignation to Escarpment Rural Area.

File No. 300-45 **Page** 903 **Submission No.** 369

Name: Halton Region Conservation Authority.

Related Submission: 327 (City of Burlington).

Submission: This submission is in support of the Proposed Plan except for certain mapping and textual revisions as follows:

A. Land Use Designations.

   1. That the Escarpment Natural Area in the vicinity of Mount Nemo in Concession 4, NS of the City of Burlington be extended to the west to include the brow of the Niagara Escarpment to the point where it joins

with the area already identified as Escarpment Natural Area, in the vicinity of Lake Medad.

2. That the Limestone Creek which is a tributary of the Twelve Mile or Bronte Creek be included in the Escarpment Natural Area. This Creek extends from the Bronte Creek south of Britannia Road to its headwaters in the Nassagaweya Canyon area north of Rattlesnake Point. Along with the Escarpment crossing Lots 1,2 and 3, Concession 6, Town of Milton.
3. That the Sixteen Mile (or Oakville) Creek be included in the Escarpment Natural Area both east and west of the Kelso Reservoir.
4. That the Escarpment Natural Area include the headwaters of the Sixteen Mile (or Oakville) Creek in Lots 10 and 13, Concession 7, Town of Milton(Nassagaweya), where it passes through land identified under the Proposed Plan for mineral resources production.

B. Lands Suggested for Acquisition by the Authority:

1. Lots 11, 12, 13, Concession 3, Town of Halton Hills (Esquesing).
   These lands are required in order to realize the recreational potential of the Scotch Block Reservoir owned by the authority.
2. Lot 10, Concession 3, Town of Halton Hills (Esquesing).
   50 acres of land divided into ten acre building lots must be acquired to secure the Hilton Falls Conservation Area/Regional Forest Complex.
3. Lots 7, 8 and 9, Concession 4, Town of Milton (Nassagaweya).
4. Part of Lot 1, 2 and 3, Concession 6, Town of Milton (Nassagaweya).
   This land encompasses the headwaters of the Limestone Creek and is important to the authority's water management program.
5. Lot 1, Concession 4, Town of Milton (Nassagaweya).
   The property proposed for acquisition in the Niagara Escarpment Commission's Plan should be squared off to conform with the existing acquisition pattern of the Crawford Lake Conservation Area.
6. Lot 15, Concession 3, Town of Milton (Burlington).
   The conservation authority agrees with the acquisition as indicated by the Commission's Plan.
7. Lot 11, 12 and 13, Concession 2, Town of Milton (Burlington).
   The lands suggested for acquisition should be enlarged to create a more manageable public area.

8. Lot 14, Concession 4, Town of Milton (Burlington).

   The authority agrees with this acquisition as indicated by the Commission's Plan.

9. Lot 12, Concession 5, Town of Milton (Burlington).

   The conservation authority feels that the lands as shown in the Commission's Plan are insufficient to insure proper protection of the Escarpment feature in this area and allow for greater public use.

10. Lots 1, 2 and 3, Concession 4 NS, and Lots 12, 13 and 14, Concession 1 NDS, City of Burlington.

    The lands identified for acquisiton in the Commission's Proposed Plan are insufficient to properly protect the Escarpment brow and allow for public use at the same time.

    The lands identified for acquisition by the authority should be considered the minimum requirement, and thought should be given to acquiring additional lands in this area to service the needs of the Burlington community.

11. Lots 1 and 2, Concession 1 NDS, Lots 22, 23 and 24, Concession 2 NDS, City of Burlington.

The conservation authority considers Lake Medad and the Escarpment valley to the north to be particularly sensitive from an environmental point of view. The authority presently owns 65 acres of similar land to the south-west of Lake Medad and would like to extend its holdings to include the Lake.

c. 1. The Halton Region Conservation Authority recommends that the Mineral Resource Area as shown on the Commission's Plan in Concession 6 and 7, Town of Milton (Nassagaweya) and Concession 1, Town of Halton Hills (Esquesing) be reconsidered and that the quarry areas be subject to a special study prior to final adoption of the Commission's proposals in order that any environmental conflicts may be resolved.

   2. The Halton Region Conservaton Authority recommends that the lands identified as Mineral Resource Areas under the Commission's Plan in Lots 11, 12 and 13, Concession 4, Town of Milton (Burlington) and such surrounding lands as have been subject to quarrying in the past be the subject of a special study in order to determine the highest and best after

use for these properties and to determine what if any, modifications should be made in the areas designated for quarrying in order to protect existing environmentally sensitive areas.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT WITH MODIFICATIONS.

Reasons:

1. This recommendation is the same as that made by the City of Burlington with which the Commission concurred (Submission 327). The area proposed for redesignation meets the criteria for Escarpment Natural.
2. The Limestone Creek portion of this recommendation is the same as that made by the City of Burlington with which the Commission concurred (Submission 327). The area proposed for redesignation meets the criteria for Escarpment Natural. The Escarpment, through Lots 1, 2 and 3, Concession 6 (Nassagaweya) consists of undisturbed Escarpment slopes and would meet the following criterion for designation as Escarpment Natural Area;

   "the least disturbed Escarpment slopes based on landforms associated with the underlying bedrock".
3. The Sixteen Mile (Oakville) Creek west of the Kelso Reservoir satisfies the following designation criterion for Escarpment Natural Area:

   "the most significant stream valleys and wetlands associated with the Escarpment."
4. See N.E.C. recommendations, comments and reasons in the general section of this report regarding Acquisition.

File No. 300-9 **Page** 908 **Submission No.** 370

Name: J. C. Duff Limited.

Land: Lot 23, Concession V, and Lot 27, Concession VII, Town of Halton Hills.

Proposed Plan: Escarpment Natural, Escarpment Protection , Escarpment Rural and Mineral Resource Area.

Submission: The only concern of this submission appears to be the requirement of the Proposed Plan that an amendment to the Plan would be necessary to open a gravel pit. In this connection the submission suggests that licensing procedures for pits and quarries be simplified so that all required matters including the Niagara Escarpment Proposed Plan be dealt with at one hearing.

Hearing Officers' Recommendation None.

N.E.C. Recommendation: ACCEPT.

File No. 300-27 **Page** 909 **Submission No.** 371

Name: Amos C. Martin Limited.

Land: East ½ of West ½ Lot 23, Concession VIII, Town of Halton Hills.

Proposed Plan: Mineral Resource and Escarpment Rural.

Submission: Mr. Martin proposes, in the future, to request a licence for 22 more acres; however, he only intends to extract under 20,000 tonnes annually.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

File No. 300-50 **Page** 911 **Submission No.** 608

Name: Mohawk Quarries Limited.

Land: Part Lot 8, Concession IV, Town of Milton.

Proposed Plan: Escarpment Natural, Escarpment Protection and Escarpment Rural.

Submission: This submission made the following recommendations:

a) That the submissions made by the Aggregate Producers' Association of Ontario and more particularly the "Addendum" thereto be adopted in their entirety;

b) That the within property be deemed "areas which are in the process of being licensed" and designated as a mineral resource extractive area;

c) In the alternative, that the within property be omitted from the Niagara Escarpment Commission's jurisdiction.

d) In a further alternative, that the proposed designations as shown on Map 2 be altered and the property be designated as Mineral Resource Protection Area in accordance with the "addendum" to the Aggregate Producers' Association of Ontario submission.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

File No. S300-58 **Page** 913 **Submission No.** 609

Name: Speyside Area Ratepayers' Association.

Submission:

The main concern of the association was the fear of mineral extraction being carried out in the future on the lands of Standard Industies Ltd, said to be parts of Lots 11 and 12, Concession 1 and Part of Lot 12, and all of Lots 13 and 14, Concession 2, in the former Township of Esquesing, Town of Halton Hills. The Association opposes any change in land-use designations as put forward by the company.

The submission deals at length with Bill 129 which provides for the preparation of the Proposed Plan and it was sought to show that any serious deviations from the provisions of the proposed Plan would be tantamount to interference with the Niagara Escarpment Planning and Development Act itself and constitute a legislative change. Agreement is stated with the present development control process and its continuation and also in general the criteria supporting the various designations with slight exception. Endorsement is given to the Regional Municipality of Halton's brief (Submission 326) regarding aggregates and stresses the strict control of pits even if the removal of aggregate is under 20,000 tonnes annually.

Hearing Officers' Report: None.

N.E.C. Recommendation: NONE.

Reasons: See N.E.C. recommendations on Submission 368 (Standard Industries Ltd.)

File No. S300-62 (Written) **Page** 958 **Submission No.** 653

Name: Rice and McHarg Limited.

Land: Part East ½ and West ½ Lot 21, Concession V, Town of Halton Hills.

Proposed Plan: Mineral Resource Area policies.

Submission:

1. Amend the Plan to make specific reference to "limited expansion of the few small sandstone quarries" under each of the Escarpment Rural, Escarpment Protection and Escarpment Natural Areas designations;
2 Delete the word "small" from Section 2.8, paragraph 4.

Hearing Officers' Recommendation: That the Proposed Plan be modified to incorporate recommendation No. 1 above.

N.E.C. Recommendation: ACCEPT.

File No. S300-70 **Page** 968 **Submission No.** 667

Name: A. McFee.

Land: Part Lot 26, Concession V, Town of Halton Hills.

Submission:

1. General support of the Proposed Plan.
2. The number of wayside pits should be restricted.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

File No. S300-32 **Page** 969 **Submission No.** 668

Name: Toronto Field Naturalists.

Submission: This submission is in support of the Proposed Plan but sets out the following concerns:

1. The Mineral Resource Area designated for the site northeast of the intersection of Regional Roads 30 and 9, Town of Milton, Lot 7, Concessions 9, 10 and 11 and the Town of Halton Hills, Lot 1, Concession 10.
2. The western portion of the Mineral Resources Areas to the west of Regional Road 30, Town of Milton, Lot 6 (western portion), Concession 7 and 8. Both sites occur on lands noted by the Ministry of Natural Resources as Candidate Nature Reserves. While we understand that these areas are licensed for mineral extraction, the portions not yet quarried should be designated Escarpment Natural Areas and considered high priority areas for park acquisition.

3. It also objects to the change proposed by Standard Industries Ltd. (Submission 368).

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

File No. D300-127 **Page** 970 **Submission No.** 669

Name: T. C. Foster.

Land: Part East ½ Lot 4, Concession II NS, City of Burlington.

Submission: This submission requests that the entire farm should be designated Escarpment Rural rather than Escarpment Protection and Escarpment Rural.

Hearing Officers' Recommendation: That the Proposed Plan be modified to change the designation on the whole of this property to Escarpment Rural.

N.E.C. Recommendation: ACCEPT.

File No. S300-63 **Page** 971 **Submission No.** 671

Name: Verrico, Capibianco and Casala.

Submission: The subject property is not included in the Proposed Plan and since the request was that it be deleted from the Proposed Plan nothing further is required.

Note: The Hearing Officers did not make a recommendation. Therefore, no further action by the Commission is required.

File. S300-64 **Page** 972 **Submission No.** 672

Name: Di Pasquale, Zaratto and Papais.

Land: Part Lot 11, Concession I (New Survey), Town of Milton.

Proposed Plan: Escarpment Rural Area.

Submission: Delete.

Related Submissions: No. 58 (Regional Municipality of Halton) and No. 372 (Town of Milton).

Hearing Officers' Recommendation: Delete.

N.E.C. Recommendation: REJECT.

Reasons:

1. Neither the Regional Municipality of Halton nor the Town of Milton requested that these lands be deleted. In fact, they recommended that the area to be covered by the Plan be enlarged in this area to include lands east of the C.N. Railway Tracks.
2. The lands are in the vicinity of the Niagara Escarpment and are an essential part of the open landscape character of the Niagara Escarpment and land in its vicinity and, therefore, are necessary to meet the purpose and objectives of the Niagara Escarpment Planning and Development Act.

File No. S300-65 **Page** 973 **Submission No.** 673

Name: Gerald O. Loach and R. Lean.

Land: Part Lot 13, Concession I (New Survey), Town of Milton.

Proposed Plan: Escarpment Rural Area.

Submission: Delete.

Related Submissions: No. 58(Regional Muncipality of Halton), No. 372 (Town of Milton).

Hearing Officers' Report: Delete.

N.E.C. Recommendation: REJECT.

Reasons:

1. Neither the Regional Municipality of Halton nor the Town of Milton requested that these lands be deleted. In fact, they recommended that the area to be covered by the Plan be enlarged in this area to include lands east of the C.N. Railway Tracks.
2. The lands are in the vicinity of the Niagara Escarpment and are an essential part of the open landscape character of the Niagara Escarpment and land in its vicinity and, therefore, are necessary to meet the purpose and objectives of the Niagara Escarpment Planning and Development Act.

File No. S300-66 **Page** 974 **Submission No.** 674

Name: Mabel and Charles Esson, Edgar and Neil Middlebrook.

Land: Part Lot 12, Concession I (New Survey), Town of Milton.

Proposed Plan: Escarpment Rural Area.

Submission: Delete.

Related Submission: No. 58 (Regional Municipality of Halton) and No. 372 (Town of Milton).

Hearing Officers' Recommondation: Delete.

N.E.C. Recommendation: REJECT.

Reasons:

1. Neither the Regional Municipality of Halton nor the Town of Milton requested that these lands be deleted. In fact, they recommended that the area to be covered by the Plan be enlarged in this area to include lands east of the C.N. Railway Tracks.
2. The lands are in the vicinity of the Niagara Escarpment and are an essential part of the open landscape character of the Niagara Escarpment and land in its vicinity and, therefore, are necessary to meet the purpose and objectives of the Niagara Escarpment Planning and Development Act.

File No. S300-124 **Page** 975 **Submission No.** 676

Name: Ronald and Jeanne Shepherd.

Land: Lot 24, Concession II NDS, City of Burlington.

Proposed Plan: Escarpment Natural, Escarpment Protection and Escarpment Rural.

Submission: Request that the portion of the subject property designated Escarpment Protection be changed to Escarpment Rural or that the Plan be amended to provide for campgrounds as a permitted use with the Escarpment Protection Areas subject to proper site evaluation studies. The purpose of this request is to render it possible to make an application to expand the existing campground into the area proposed to be designated Escarpment Protection.

Hearing Officers' Recommendation: None. The lands are properly designated.

N.E.C. Recommendation: ACCEPT.

RESPONSE TO VOLUME 3 - PHASE 2

REGIONAL MUNICIPALITY OF PEEL

Name	**File No.**	**Submission No.**	**Page**
Ontario Trail Riders' Association	402-21	232	996
K. H. Fockler	400-10	235	1000
John Alexander	400- 8	237	1003
Caledon Rate Payers' Association	400-19	238	1004
Highfield Farms	400-17	240	1006
Caledon Hills Bruce Trail Club	400-11	241	1007
Halton Field Naturalists	400- 3	245	1011
Association of Peel People Evaluating Agricultural Land.	400- 6	246	1012
George Harris	400-25	247	1013
Coalition on the Niagara Escarpment	400- 7	248	1014
Foundation for Aggregate Studies	S400-25	697	1017

Submission: Supports the Proposed Plan.

Hearing Officers' Report: None.

N.E.C. Recommendation: ACCEPT.

File No. 400-22 **Page** 991 **Submission No.** 229

Name: Regional Municipality of Peel.

Submission:

1. Delete three areas of the Proposed Plan which are shown and designated on Exhibit 148 as areas 1, 2 and 3. These are the same lands that the Town of Caledon also wants removed. Public meetings held in Caledon have supported this intent. Like the Town, the region's planners believe that the objectives of the Proposed Plan will not be affected by their removal. Basically the Region of Peel supports the intent of the Proposed Plan as being sound although many of the things the Niagara Escarpment Commission seeks to

regulate in the three areas are being effictively safeguarded by other governmental agencies. The Region differs from the Niagara Escarpment Commission in the definition of the Escarpment and that difference recognizes what one can see above ground and not what is buried. This was referred to as a perceptive difference.

2. That the "Plan" recognize Peel Region and the Town of Cledon's more generous severance policy of three per 100 acre township lot.
3. That the settlement area of Cataract be designated as Minor Urban Centre.
4. Regional and area municipalities should be requested by the Niagara Escarpment Commission to comment on guidelines for Park Master Plans prior to their adoption.
5. Zoning bylaws of a special nature should supplant the present development control system with the delegation of administration to the municipalities.
6. Residential subdivisions should be permitted in the Escarpment Protection Areas, although it is agreed environmental safeguards should be provided.

Related Submission: 228 (Town of Caledon) 233 and 244.

Hearing Officers' Recommendation: That areas 1, 2 and 3 as shown on Exhibit 148 in these proceedings be deleted from the Proposed Plan.

N.E.C. Recommendation: ACCEPT WITH MODIFICATIONS.

Reasons:

1. Area 1 meets the following criteria for inclusion in the Area of the Proposed Plan and should not be deleted.

a) This area is identified by the Ministry of Natural Resources as a provincially and regionally significant Earth Science (geological) Area.

b) The area of Sleswick Swamp in Concession V is identified by the Ministry of Natural Resources as a regionally significant Life Science area.

c) The area is a headwater area and is the source of both the Humber and Credit Rivers.

d) Part of the lands are owned by the Metropolitan Toronto and Region Conservation Authority. These lands provide public access to the Niagara Escarpment and land in its vicinity.

e) This area is part of the open landscape character in the vicinity of the Niagara Escarpment and provides a buffer to the Escarpment.

2. Area 2 is located above the Escarpment and for the most part is characterized by licensed pits.

Because of the degree of disturbance over much of these lands, the Commission agrees in part with the Hearing Officers and, accordingly, concurs with the deletion of the majority of the licensed area.

The land above the Escarpment and the Credit River Valley in Concession III WHS should not be deleted for the following reasons:

a) Lots 12 and East ½ 13, Concession II EHS, (South ½ Lot 12, Concession I WHS and Lot 12 Concession II WHS (Caledon):

   i) The area is located on the Escarpment.

   ii) These areas are identified by the Ministry of Natural Resources as a provincially significant Geological Area.

   iii) These areas are part of the open landscape character in the immediate vicinity of the Escarpment and provides a buffer to the Escarpment.

   iv) The area serves as an infiltration area and is the source area of the many streams emerging on the Escarpment slopes.

b) Concession III WHS (Caledon).

   i) The Credit River Valley is a valley incised into the Escarpment bedrock.

   ii) This area south of Highway 24 is identified by the Ministry of Natural Resources as a provincially Significant Geological Area and exhibits one of the best examples of the meltwater channel morphology in this area (e.g. kettle lakes)

   iii) The Credit Valley south of Highway No. 24 and the wetland south of Alton is identified by the Ministry of Natural Resources as a regionally significant Natural Area.

   iv) The area above the valley is part of the open landscape character and provides a buffer to the Escarpment.

c) Lot 12, Concession VI WHS (Caledon).

i) This area is a groundwater infiltration area as identified by the Ministry of the Environment. It is the source area of the branch of the Credit River which drains into Dufferin Lake which is identified by the Ministry of Natural Resources as being a provincially significant Natural Area.

ii) This area is part of the open landscape of the Niagara Escarpment and is essential to provide a buffer to Dufferin Lake (a provincially significant Natural Area).

3. The Commission agrees with some of the Hearing Officers' recommended deletions in Area 3 except for the following areas which should not be deleted:

a) West of Black Creek and the Credit River.

i) This area includes the slopes of the Niagara Escarpemnt as defined by D. Hewitt and, therefore, is physically and visually part of the Niagara Escarpment.

ii) The Hamlets of Terra Cotta, Cheltenham and Inglewood are an integral part of the Escarpment Heritage and exhibit significant heritage resources as identified by the Ministry of Citizenship and Culture and should be included in the Plan.

b) East of the Black Creek to Airport Road.

i) Water infiltrating above and on the Escarpment emerge as surface water in this area and is, therefore, the headwater of both the Credit and Humber Rivers.

ii) The lands are in the immediate vicinity of the Escarpment and are an integral part of its open landscape character and provide a buffer to the Escarpment slopes.

iii) A significant portion of these lands is forested and provides an ecological link with the Escarpment slopes.

c) A triangular shaped parcel of land which includes lands owned by the Credit Valley Conservation Authority in the East ½ Lot 2, Concession I WHS.

i) The lands are part of a proposed provincial public acquisition area and access to the Niagara Escarpment and lands in its vicinity.

File No. 400-24 **Page** 989 **Submission No.** 228

Name: Town of Caledon.

Submission:

1. The submission is generally in agreement with the preservation of the Niagara Escarpment although there are some areas of disagreement with the Commission's Proposed Plan. The main thrust was the proposal that three areas shown on the map presented by the Regional Municipality of Peel (Exhibit 148) should be deleted from the Plan as being superfluous to the protection of the Escarpment.
2. That more restrictive policies of the Town's official plan regarding mineral resources should prevail over those of the Proposed Plan although the areas designated as extractive industrial in the official plan and the policies relating thereto have been referred to the Ontario Municipal Board for disposition.
3. In the Escarpment Natural, Escarpment Protection and Escarpment Rural Areas permit as many severances as may be compatible with the maintenance of the Niagara Escarpment as a continuous natural environment.
4. Permit estate residential plans of subdivision in the Escarpment Protection Areas subject to rigorous environmental application requirements.
5. The system of land use control should be based on zoning supported by site plan control.
6. The implementation and administration of the land use control system should be delegated to local municipalities.
7. The Ministry of Housing should be responsible for processing amendments to the Niagara Escarpment Plan.
8. Public Works exempt from the provisions of the Environmental Assessment Act should not be subject to a costly and time consuming approval process.
9. Cataract should be designated as a Minor Urban Centre.

Related Submission: Submission No. 229 (Region of Peel).

Hearing Officers' Recommendations: Concurred with the Town's request to designate Cataract as a Minor Urban Centre in the Niagara Escarpment Plan.

N.E.C. Recommendation: ACCEPT.

File No: 400-15 **Page** 993 **Submission No.** 230

Name: Mrs. Mary Lawson.

Land: Part East ½ Lot 17, Concession 14 WHS (Caledon), Town of Caledon.

Proposed Plan: Escarpment Protection.

Submission: Designated Cataract as a Minor Urban Centre and change the Escarpment Protection Area on the above noted lands to Escarpment Rural Area in order that the Plan of Subdivision may proceed.

Related Submissions: No. 228 (Town of Caledon), No. 229 (Regional Municipality of Peel).

Hearing Officers' Recommendation: None

N.E.C. Recommendation: ACCEPT WITH MODIFICATIONS.

Reasons:

The Commission has no objections to the designation of Cataract as a Minor Urban Centre (See Submission No. 228). The policies of Minor Urban Centre designation would prevail over the Escarpment Protecton Area designation, therefore, a change in designation to Escarpment Rural is not warranted.

File No. 400-4 **Page** 994 **Submission No.** 231

Name: The Georgian Group.

Lands: Part of Lot 9 and 10, Concession 3 EHS, (Caledon) Town of Caledon.

Proposed Plan: Escarpment Protection Area.

Submission: Expand the permitted uses of the Escarpment Protection Area to allow for plans of subdivision subject to detailed environmental studies.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: NONE.

Reason: See the Commission's recommendations, comments and reasons in the General Section of this report.

File No. 400-9 **Page** 997 **Submission No.** 233

Name: James Lyons.

Land: Lot 30, Concession 4 WHS (Chinguacousy) Town of Caledon.

Proposed Plan: Escarpment Natural and Escarpment Rural Areas.

Submission: Supported the Town of Caledon's submission (No. 228) which recommended deletion of his lands.

Related Submission: No. 229 (Regional Municipality of Peel), No. 228 (Town of Caledon).

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: NONE.

Reasons: See the Commission's recommendations, comments and reasons under Submission No. 229 (Regional Municipality of Peel).

File No. 400-12 **Page** 998 **Submission No.** 234

Name: W. O. Twaites.

Land: East ½ Lots 31 and 32, Concession 5 WHS, (Chinguacousy) Town of Caledon.

Proposed Plan: Escarpment Natural and Escarpment Protection Areas

Submission: Delete the subject lands from the Plan in order that part of the lands may be used for "residential country estate development."

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT WITH MODIFICATIONS.

Reasons:

1. The Commission agrees with the Hearing Officers' report that the lands are "properly included within the Proposed Plan."
2. See the Commission's recommendations, concerns and reasons regarding the issue of Plans of Subdivision in the Escarpment Protection Areas in the general section of this report.

File No. 400-1 **Page** 1001 **Submission No.** 236

Name: Metropolitan Toronto and Region Conservation Authority.

Submission: This submission was in general support of the Proposed Plan and made the following recommendations:

1. That the Humber Forest property be deleted from the proposed Niagara Escarpment Parks System and that the designation Public Land (not in Park System) be substituted or that provision be made to assure the continuation of forestry use on this property beyond the period of the existing agreement.
2. That the authority support the inclusion of its lands within the Bruce Trail system and that the use of these lands will be subject to regulations made by the authority under The Conservation Authorities Act and posted on authority property as well as policies adopted as part of the Watershed Plan.
3. That the Ministry of Natural Resources accept the responsibility of coordinating the development and administration of the Niagara Escarpment Park System.
4. That those statements in the Proposed Plan referring to conservation authority permit requirements for building and construction in flood plain lands be expanded to recognize approval requirements for placing of fill in specified areas and for alterations, diversions or interference with any watercourse.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

File No: 400-2 **Page** 1005 **Submission No.** 239

Name: Mrs. Helen Stewart.

Land: East ½ Lot 22, Concession VI EHS, (Caledon) Town of Caledon.

Proposed Plan: Escarpment Rural and Minor Urban Centre.

Submission: Concern regarding the extent of the boundaries of the Mono Mills Minor Urban Centre which are to be established in the Town of Caledon Official Plan.

Related Submission: No. 229 (Regional Municipality of Peel).

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: NONE.

Reasons:

1. The Hearing Officers recommended that these lands be deleted in submission No. 229. Mrs. Stewart, however, did not ask to have her lands deleted from the Niagara Escarpment Plan.

   See recommendations, comments and reasons regarding the establishment of boundaries for Minor Urban Centres in the general section of this report.

File No: 400-13 **Page** 1008 **Submission No.** 242

Name: Credit Valley Conservation Authority.

Submission:

1. Support for the Proposed Plan.
2. Recommends revisions to the names of the parks in the Niagara Escarpment Parks System under its jurisdiction.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: NONE.

Reasons: See the Commission's recommendations, comments and reasons in the general section of this report.

File No. 400-5 **Page** 1009 **Submission No.** 243

Name: Mrs Norma E. L. Booth.

Land: Lots 9 and 10, Concession I and II EHS., (Caledon) Town of Caledon.

Proposed Plan: Escarpment Natural, Escarpment Protection and Escarpment Rural.

Submission: Supports the Town of Caledon's submission No. 228 that recommended an increase in the number of severances permitted.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: NONE.

Reasons: See the Commission's recommendations, comments and reasons in the general section of this report.

File No. 400-18 **Page** 1010 **Submission No.** 244

Name: Terra Cotta Gardens Ltd.

Land: Part Lot 29, Concession VI WHS, (Chinguacousy) Town of Caledon.

Proposed Plan: Escarpment Protection Area.

Submission:
The subject lands are presently used as a trailer park and have been so used for some years. The Proposed Plan places this property in an Escarpment Protection Area which the owner feels could curtail the expansion of the existing use at some future date. He requests that his lands be place in an Escarpment Rural Area because of the existing recreational use.

Related Submission: No. 229 (Regional Municipality of Peel).

Hearing Officers' Recommendation: None. Area to be deleted from Proposed Plan.

N.E.C. Recommendation: NONE.

Reasons:

1. The owner did not request that his land be deleted.
2. See the Commission's recommendations on submission 229 (Regional Municipality of Peel).

File No. 400-23 **Page** 1015 **Submission No.** 249

Name: Clifford R. J. Smith.

Land: West ½ Lot 4 and south ½ Lot 5, Concession III WHS, (Caledon) Town of Caledon.

Proposed Plan: Escarpment Rural.

Submission: Mr. Smith feels that because his property is well removed from the face of the Escarpment it should be removed from the Plan.

Hearing Officers' Report: None. Property is properly included in the Proposed Plan.

N.E.C. Recommendation: ACCEPT.

File No. S400-26 **Page** 1016 **Submission No.** 696

Name: Regan-Graham Limited.

Land: Part Lot 12, Concession I WHS, (Caledon) Town of Caledon.

Submission: None - withdrew.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: NONE.

5. RESPONSE TO VOLUME 4 - PHASE 2

COUNTY OF DUFFERIN

The following Phase 2 submissions in the County of Dufferin were in general support of the Proposed Plan.

Name	File No.	Submission No.	Page
Walter M. Tovell	500-33	251	1052
Aspen Resorts Incorporated	500-36	255	1056
Valley Schuss Ski Club	500-25	259	1060
John Franklin	500-60	297	1116
Goetz Koechlin	500-29	311	1131
Coalition on the Niagara Escarpment	500- 3	706	1158
Mr. & Mrs. A. G. Fells	500-102	707	1159
Robert J. Long	500-104	708	1160

Submission: Support the Proposed Plan.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

The following Phase 2 submissions in the County of Dufferin were opposed to the Proposed Plan.

Name	File No.	Submission No.	Page
Mr. & Mrs. Gary H. Corlett	500-64	300	1119
Leta Leeson	500-10	712	1165

Submission: Opposed to the Proposed Plan.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

The following Phase 2 submissions in the County of Dufferin were made for redesignation of the Montclair Ski Resort from Escarpment Recreation to Escarpment Protection. The Hearing Officers did not recommend the redesignation and we recommend the rejection of the Hearing Officers' recommendation.

Name	File No.	Submission No.	Page
Joyce Jones	500-11	257	1058
K. D. Goodwin	500-48	282	1095
Margaret B. Farnell	500-46	285	1099
Tom Reive	500- 5	287	1101
Mr. and Mrs. Harold Kendall	500-52	291	1109
Harold P. Smith	500-63	295	1113
Mrs. L. Horton	500-65	301	1120
E. R. Murray	500-106	709	1161
Doreen B. Gariepy	500-103	710	1162

Land: North ½ of West ½ and North ½ of East ½ of Lot 14, Concession 5 EHS., Township of Mono.

Submission: Change the adjacent property (former Montclair Ski Resort) from Escarpment Recreation to Escarpment Protection.

Related Submissions: 316 (Township of Mono), 299.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: REJECT.

Reasons:

1. The Montclair Ski Resort has not been operating since 1974.
2. Evidence presented at the Proposed Plan hearing was that the area had been improperly designated "Resort" in the local plan, and that the township's new bylaw, if approved, would have placed the lands in a rural (A) zone.
3. All of the evidence presented indicated that the site was inappropriate for a ski resort (e.g., limited access, environmental constraints, incompatibility with adjacent uses).
4. The criterion for designation would call for the redesignation of the lands to Escarpment Protection and Escarpment Natural.

File No. 500-26 **Page** 1136 **Submission No.** 316

Name: Township of Mono.

Submission:

1. The Proposed Plan covers 39.4% of the township.
2. It was the wish of the township that where adequate controls exist, Development Control should be lifted, unless an owner desired to remain under Niagara Escarpment Commission control.
3. The township's hazard designation was very similar to the Escarpment Natural.
4. The township's official plan shows the Escarpment and the Proposed Plan does not.
5. Violet Hill should be a Minor Urban Centre.
6. The Escarpment Recreation Areas may not be correct.
7. The East ½ of Lot 3, Concession 7 EHS has already been rehabilitated and should not be a Mineral Resource Area.
8. The township is opposed to wide notice being given under the proposed appeal procedure.
9. The Escarpment Natural Areas should remain in Development Control.
10. There should be a continuing monitoring authority.

Hearing Officers' Recommendations:

1. Delete all Escarpment Rural.
2. Change the Escarpment Protection to Escarpment Rural.
3. Not required to deal with Violet Hill since the area would be deleted by the first recommendation.

N.E.C. Recommendations:

1. ACCEPT WITH MODIFICATIONS.
2. REJECT.
3. ACCEPT MINOR URBAN CENTRE DESIGNATION FOR VIOLET HILL.

Reasons:

1. It is important to note the Hearing Officers' statement that the township did not specifically request any deletions.
2. The following areas should not be deleted:
   a) Lots 1,2,3,4 and the West ½ Lot 5, Concession 8 EHS.
      i A portion of the lands are owned by the Metropolitan Toronto and Region Conservation Authority.
      ii The lands either lie on or along the base of the Escarpment.
      iii The lands abut and buffer an identified Life Science Area.
      iv The entire area is important for ground water infiltration.
      v The lands include several cold water fisheries streams feeding into the Humber River system.
      vi The lands are part of the open landscape in the immediate vicinity of the Escarpment.
   b) Lots 2,3,4 and 5, Concession 7 EHS
      i The lands lie on the Escarpment.
      ii The entire area is important for ground water infiltration.
      iii The lands include important source springs and streams feeding into the Humber River system.
      iv The lands are visually part of the open landscape associated with the Escarpment.
   c) Lot 1, Concession 6 EHS.

Lot 1, Concession 5 EHS.

i The lands encompass the Escarpment which in this area has been incised by the Humber River.

ii The lands include the Humber River, a significant cold water fisheries resource.

iii The entire area is important for ground water infiltration.

iv The lands are visually significant and part of the open landscape directly associated with the Escarpment.

d) Lot 6, Concession 7 EHS.
North ½ Lot 6, Concession 6 EHS.
North ½ Lot 6, Concession 5 EHS.
East ½ Lot 6, Concession 4 EHS.

i The lands either lie on or just above the brow of the Escarpment. Prominent Escarpment outcrops are located immediately to the north.

ii The area, in part, is important for ground water infiltration.

iii The area provides a buffer to the prominent Escarpment slopes.

iv The lands form part of the open landscape in the immediate vicinity of the Escarpment.

e) West ½ Lot 6, Concession 4 EHS.
Lot 6, Concession 3 EHS.
Lot 6, Concession 2 EHS.

i The lands lie on the Escarpment along the line which defines the southern limit of the Hockley Valley.

ii The majority of the area is important for ground water infiltration.

iii A source area for the Nottawasaga River is located within the area. It is identified as a significant cold water stream.

iv The area is visually significant serving as a buffer for the steep Escarpment slopes in the Hockley Valley. The area has potential Escarpment related archaeological significance.

f) East ½ of East ½ Lot 6 and Lots 7 and 8, Concession 1 WHS.
South ½ of East ½ Lot 9, Concession 1 EHS.
Lots 9 and 10, Concession 2 EHS.

i The lands lie on the Niagara Escarpment at the western limit of the Hockley Valley where the feature narrows.

ii The lands are within a Natural Area of Provincial Significance (Earth Science).

iii The area is identified as important for ground water infiltration.

iv The area contains a portion of the upper headwaters of the Nottawasaga River, a significant cold water fisheries system.

v The lands buffer the Escarpment Natural Areas located within the valley floor, as well as provide protection for the more prominent Escarpment slopes.

vi The lands are visually significant and part of the Escarpment open landscape.

vii The lands possess potential Escarpment related archaeological significance.

g) Lot 11, Concession 1 EHS.

i The lands are either located on or immediately above the brow of the Escarpment.

ii The lands abut a Natural Area of Provincial Significance (Scott's Falls Life and Earth Science features).

iii The lands are in a ground water infiltration area.

iv The area contains a significant cold water stream. This tributary of the Nottawasaga River flows over the triple Scott's Falls further to the east.

v The lands provide a buffer for the adjacent Escarpment Natural Areas.

vi The lands are a visually signficant part of the Escarpment open landscape.

vii The lands possess potential Escarpment related archaeological significance.

h) Lots 13, East ½ 14 and 15, Concession 2 EHS.
Lot 14, Concession 3 EHS.

i A substantial portion of these lands are publicly owned (Scott's Falls).

ii The lands are located on, along or just above the brow of the Escarpment.

iii The lands are within a ground water infiltration area and include a large wetland which is a source area for the Nottawasaga River, a significant cold water system.

iv The lands are visually part of the Escarpment open landscape. Located immediately to the north-east is a prominent elevated Escarpment plateau.

v The lands possess potential Escarpment related archaeological significance.

i) East ½ Lots 16, 17, 18, 19, 20 and 21 and Lots 22, 23 and 24, Concession 2 EHS.

i A portion of these lands are publicly owned, lying within the Mono Cliff's Park.

ii The lands lie along or just above the brow of the Escarpment.

iii The lands abut and buffer Natural Areas of Provincial Significance (Life and Earth Science).

iv The lands also buffer some of the more prominent Escarpment slopes in the Mono Centre area.

v The lands are within a ground water infiltration area.

vi The area is visually significant, forming part of the open landscape associated with the Escarpment.

vii The lands possess potential Escarpment related archaeological signficance.

j) Lots 8,9,12,13 and 14, Concession 7 EHS.

i The lands are located below the base of the Escarpment in the eastern portions of the Hockley Valley in an area where the Escarpment feature has become much broader.

ii Where the lands are situated on the slopes of the Hockley Valley they are visually very prominent.

iii The lands serve to buffer Escarpment Natural Areas and regionally significant Life Science Sites (e.g. Nottawasaga River valley).

iv The lands are within a ground water infiltration area and, in part, include the Nottawasaga River, a recognized cold water fisheries resource.

v The majority of the lands possess potential Escarpment related archaeological significance.

vi The lands form part of the open landscape in the immediate vicinity of the Escarpment.

k) Lots 18, 19, 20 and 21, and the West ½ of Lots 23, 24 and 25, and Lots 26, 27 and 28, Concession 4 EHS.

i The lands either lie along or just below the base of the Escarpment.

ii A major Escarpment plateau area located in the Mono Cliff's Park can be viewed from the majority of these lands.

iii The lands are included in a ground water infiltration area.

iv Several significant cold water streams are found in the area.

v The lands are visually significant and provide for the open landscape in the immediate vicinity of the Escarpment.

l) Lots 28, 29, 30, 31, and 32, Concession 2 EHS
Lots 28, 29, 30, 31 and 32, Concession 3 EHS.

i The majority of the lands lie on the Escarpment although small portions are found along the brow and along the base.

ii The base generally follows the main branch of the Sheldon Creek. This creek along with its numerous tributaries is an important cold water fisheries resource.

iii The lands surround and buffer a Natural Area of Provincial Signficance (Life Science).

iv The area is important for ground water infiltration.

v The lands are visually very significant and form part of the open landscape assocated directly with the Escarpment.

2. The Hearing Officers' recommendation to change Escarpment Protection Areas to Escarpment Rural should not be accepted for the following reasons:

a) Purpose, Function and Objectives.

The Escarpment Protection designation includes areas which are important because of their visual prominence and environmental significance. They also include Natural Areas of regional significance. In addition, Protection Areas act as buffers to the Escarpment Natural Areas.

The type and amount of development permitted in the Escarpment Protection Area have been set by the policy's aim of maintaining the remaining natural features and their open landscape quality.

The objectives of the designation reflect this aim:

- To maintain and enhance the open landscape quality of Escarpment slopes.
- To maintain regionally-important nature areas.
- To permit compatible agriculture, forestry and recreation.

Therefore, the redesignation of all Escarpment Protection Areas to Escarpment Rural would conflict with the objectives of the Escarpment Protection designation by permitting too much development.

b) Consistency and Continuity.

The recommendation to delete Escarpment Protection Areas in Mono and Mulmur Townships is not consistent with the Hearing Officers' decision to allow the designation to remain throughout the rest of the Proposed Plan Area. (e.g. in the Town of Caledon which abuts Mono Township and the Township of Nottawasaga which abuts Mulmur Township).

The criteria for designation of Escarpment Protection Areas are the same throughout the Proposed Plan.

- Escarpment landforms where existing land uses have significantly altered the natural environment (e.g. agricultural lands and residential development).
- Areas in close proximity to Escarpment landforms which visually are part of a landscape unit.
- Nature areas which are regionally important.

The redesignation of the Escarpment Protection Area to Escarpment Rural would interrupt the Proposed Plan's continuity and consistency.

c) Policy Implications and Permitted Uses.

The alteration of Escarpment Protection to Escarpment Rural would permit a general loosening of the amount, type and density of development (e.g. plans of subdivision).

A very important result in the recommended redesignation from Escarpment Protection to Escarpment Rural could be the opening up of new areas for aggregate extraction. The Hearing Officers have accepted the New Pits and Quarries Restrictive Zone which comprises the Escarpment Natural and Escarpment Protection Areas. With a change from Escarpment Protection, pits and quarries could potentially be located on the Escarpment and in close proximity to Escarpment Natural Areas. Adequate protection would therefore not be provided to the unique natural and scenic resources contained within the most sensitive Escarpment areas.

d) See the Commission's recommendation on the Hearing Officers' Recommendation No. 11 to the general section of the report regarding the Escarpment Protection policies and uses.

File No. 500-6 **Page** 1045 **Submission No.** 250

Name: Township of Mulmur.

Submission:

1. All lands which are actively farmed should be released from the Proposed Plan.
2. Important Escarpment features should be protected by overlays to the existing official plan policies.
3. Agriculture should be recognized as the predominant use of land in the township.
4. The Proposed Plan should be changed to provide protection to farmers.
5. The policies of the Proposed Plan should be altered to include all of the Food Land Guidelines.
6. Development Control criteria should be amended to make them as much like a zoning by-law as possible.
7. Development Control should only be used to regulate matters of real Escarpment concern.

8. High Priority Mineral Resource Areas should be designated on the Proposed Plan. The use of such land for extraction should not require an amendment.
9. Expropriation should not be used to establish the Bruce Trail.
10. The reference to the Land Compensation Board in acquisition matters should be corrected.
11. Provincial grants in lieu of taxes should be equal to the sum which would be paid by private owners.
12. In addition to the deletion of all farmlands, all lands designated Escarpment Rural should be removed.

Hearing Officers' Recommendations:

1. With the exception of Lots 16, 17, 18, 19 and 20, Concessions I WHS and I EHS, delete all Escarpment Rural Areas.
2. Change Escarpment Protection to Escarpment Rural.

N.E.C. Recommendations:

1. ACCEPT WITH MODIFICATIONS.
2. REJECT.

Reasons:

1. The Commission concurs with the Hearing Officers' deletion proposals with the following exceptions for the following reasons:

a) North ½ of East ½ of Lot 1, East ½ Lot 2 and Lots 3, 4 and 5, Concession 3 WHS.

North ½ Lot 1 and Lots 2, 3 and 4 and West ½ Lot 5, Concession 2 WHS.

North ½ of West ½ of Lot 1, Concession 1 WHS.

- i The majority of the lands are publicly owned and within the Boyne Valley Park.
- ii The lands either lie on the Escarpment or are located immediately above the brow.
- iii The lands abut or are in close proximity to several significant cold water fisheries streams feeding the Boyne River system.
- iv The area, in part, includes ground water infiltration areas.
- v The area is identified as being of potential archaeological significance.

b) Lots 6, 7, 8, 9, 10, 11 and 12, Concession 1 EHS.
Lots 7, 8 and 9, Concession 2 EHS.

- i The lands either lie on the Escarpment or are located on or immediately above the brow.
- ii The entire area is a ground water infiltration area.
- iii The lands include an important source stream feeding into the provincially significant Boyne River system.
- iv The lands, in part, include a Natural Area of Provincial Significance (Earth Science).

c) Lots 11, 12, 13 and 14, Concession 2 EHS.
Lot 10, Concession 3 EHS.

- i The lands are located on or immediately below the toe of the Escarpment.
- ii The entire area is a ground water infiltration area.
- iii The lands abut an important cold water stream feeding into the Boyne River system.
- iv The area provides the buffer to the Escarpment Natural Area to the west.
- v The lands are visually significant and are a part of the open landscape in the immediate vicinity of the Escarpment.
- vi A portion of the area is identified as being of potential archaeological significance.

d) Lot 15 and South ½ of West ½ Lot 16, and the East ½ Lots 16, 17, 18, 19 and 20, Concession 3 WHS.
Lot 22 and East ½ Lot 24 and East ½ of East ½ Lot 25, Concession 2 WHS.
Lot 26, Concession 1 WHS.

- i The lands either lie on the Escarpment or are located on or immediately above the brow.
- ii The majority of the area is a ground water infiltration area.
- iii The lands abut or are in close proximity to a Natural Area of Provincial Significance (Earth Science).
- iv The area provides a buffer to the very steep prominent Escarpment slopes in the Pine River valley to the east.
- v The lands are identified as being visually significant and form part of the open landscape in the immediate vicinity of the Escarpment.

- vi A portion of the area is identified as being of potential archaeological significance.

e) Lot 23, Concession 2 EHS.

- i The lands lie on the slopes of the Escarpment in the Pine River valley.
- ii The area is a ground water infiltration area and also includes a significant cold water stream which flows into the Pine River.
- iii The lands are located within a Natural Area of Provincial Significance (Earth Science).
- iv The area is visually very prominent being located on the Pine River valley wall.
- v The lands provide a buffer to adjacent lands lying closer to the Escarpment brow.

f) Lots 28, 29, 30 31 and 32, Concession 1 EHS.

- i The lands lie on or immediately above the brow of the Escarpment.
- ii The majority of the lands are included in a Natural Area of Provincial Significance (Earth Science).
- iii The lands provide an important buffer to the Escarpment slopes, a regionally significant Life Science Area and a significant fisheries stream located in the prominent valley to the east.
- iv The lands, in part, are a ground water infiltration area.
- v The lands form part of the open landscape in the immediate vicinity of the Escarpment.

g) Lots 25 and 32, Concession 1 EHS.
Lots 25, 26, 27, 28, 29, 30, 31 and 32, Concession 2 EHS.
Lots 27, 28, 29, 30, 31 and 32, Concession 3 EHS.

- i The lands either lie on the Escarpment or are located on or immediately above the brow. A substantial portion of the area is a plateau forming the top of the Escarpment.
- ii The area, in part, includes several Natural Areas of Provincial Significance (Earth Science).
- iii The lands also, in part, include ground water infiltration areas and source streams and springs which feed into the Pine River system, an area of prime significance to cold water sport fisheries.

iv The lands provide a buffer to adjacent lands lying on the Escarpment slopes.

v To remove the lands would cause a break in the environmental continuity of the Niagara Escarpment and land in its vicinity by creating a hole or gap in the Plan.

vi A substantial portion of the area has potential archaeological significance.

2. The Hearing Officers' recommendation to change Escarpment Protection Areas to Escarpment Rural should not be accepted for the following reasons:

a) Purpose, Function and Objectives .

The Escarpment Protection designation includes areas which are important because of their visual prominence and environmental significance. They also include Natural Areas of regional significance. In addition, Protection Areas acts as buffers to the Escarpment Natural Areas.

The type and amount of development permitted in the Escarpment Protection Area have been set by the policy's aim of maintaining the remaining natural features and their open landscape quality.

The objectives of the designation reflect this aim:

- To maintain and enhance the open landscape quality of Escarpment slopes.
- To maintain regionally-important nature areas.
- To permit compatible agriculture, forestry and recreation.

Therefore, the redesignation of all Escarpment Protection Areas to Escarpment Rural would conflict with the objectives of the Escarpment Protection designation by permitting too much development.

b) Consistency and Continuity.

The recommendation to delete Escarpment Protection Areas in Mono and Mulmur Townships is not consistent with the Hearing Officers' decision to allow the designation to remain throughout the rest of the Proposed Plan Area. (e.g. in the Town of Caledon which abuts Mono Township and the Township of Nottawasaga which abuts Mulmur Township).

The criteria for designation of Escarpment Protection Areas are the same throughout the Proposed Plan.

- Escarpment landforms where existing land uses have significantly altered the natural environment (e.g. agricultural lands and residential development)
- Areas in close proximity to Escarpment landforms which visually are part of a landscape unit.
- Nature areas which are regionally important.

The redesignation of the Escarpment Protection Area to Escarpment Rural would interrupt the Proposed Plan's continuity and consistency.

c) Policy Implications and Permitted Uses.

The alteration of Escarpment Protection to Escarpment Rural would permit a general loosening of the amount, type and density of development (e.g. plans of subdivision).

A very important result of the recommended redesignation from Escarpment Protection to Escarpment Rural could be the opening up of new areas for aggregate extraction. The Hearing Officers have accepted the New Pits and Quarries Restrictive Zone which comprises the Escarpment Natural and Escarpment Protection Areas. With a change from Escarpment Protection, pits and quarries could potentially be located on the Escarpment and in close proximity to Escarpment Natural Areas. Adequate protection would therefore not be provided to the unique natural and scenic resources contained within the most sensitive Escarpment areas.

d) See the Commission's recommendation on the Hearing Officers' Recommendation No. 11 in the general section of the report regarding the Escarpment Protection policies and uses.

File. 500-38 **Page** 1071 **Submission No.** 267

Name: Township of Melancthon

Proposed Plan: Escarpment Natural, Escarpment Protection, Escarpment Rural and Minor Urban Centre.

Submission: Return lands in the Proposed Plan to the sole jurisdiction of the township. Administration of land use controls should be at the local level.

Related Submissions: 277, 305, 306, 307, 308, 712.

Hearing Officers' Recommendation: Delete all the land in the Township of Melancthon.

N.E.C. Recommendation: ACCEPT WITH MODIFICATIONS.

Reasons:

1. Melancthon Township did not ask for its area to be deleted. However, the Commission concurs with the Hearing Officers' deletion proposal with the following exceptions:
2. The following areas should not be deleted from the Proposed Plan for the following reasons:
   a) Part Lots 12 to 15, Conc. 2 O.S.
      i The brow of the Escarpment is found on a part of these lands.
      ii The lands contain several of the source springs and creeks of the Pine River system, a significant cold water fisheries resource.
      iii The lands are in a ground water infiltration area.
      iv The area is part of the Escarpment open landscape and is required to provide a physical and visual buffer for the feature.
      v Horning's Mills is recognized as being both culturally and historically significant. Its location was in part related to the proximity of the Escarpment (e.g. water power) and as an access point to the Pine River valley.
      vi Highway #10/24 provides a logical boundary separating Escarpment related and non-escarpment related features.

   b) Part E½ of E½ Lot 11 and Lots 12 to 16,and W½ of Lot 17 and W½ of E½ of Lot 17, Conc. 1 O.S.
      i The brow of the Escarpment is found on part of these lands. Rock outcrops, steep Escarpment slopes and a rapid change in elevation

are all indicative of a landscape dominated by the Escarpment feature.

- ii Numerous source springs and creeks feed into the Pine River system which is recognized as a significant cold water fisheries resource.
- iii The lands are in a ground water infiltration area.
- iv The area is required to provide a physical and visual buffer to the Escarpment.
- v Along with the historic and culturally significant village of Horning's Mills are other historic sites and ruins related to the Escarpment (e.g. mills, dams, spillways).
- vi The area is identified as possessing potential archaeological significance (e.g. native burial sites).

c) Lot 31, Conc. I O.S.

- i The brow of the Escarpment is found on a part of these lands.
- ii The Noisy River, a significant cold water fisheries stream, is found on these lands.
- iii The area is required to provide a physical and visual buffer to the Escarpment. Also buffered is a Natural Area of Provincial Significance (Life Science/Lavender Falls).
- iv A portion of the area is rated as being "Outstanding Escarpment Landscape" in the Escarpment Landscape Evaluation Study.

File No. 500-45 **Page** 1053 **Submission No.** 252

Name: J. A. Pearce.

Land: Part West ½ Lot 25, Concession 2 EHS, Mulmur Township.

Proposed Plan: Escarpment Protection.

Submission: Delete.

Related Submissions: 250 (Township of Mulmur), 253, 266, 272.

Hearing Officers' Recommendation: That the Niagara Escarpment Commission give consideration to deleting all lands in Lots 22, 23, 24 and 25, Concession 2, 3 and 4 EHS, Township of Mulmur.

N.E.C. Recommendation: ACCEPT. CONSIDER AND DO NOT DELETE.

Reasons:

1. The lands are located on the Escarpment.
2. The lands include some of the most prominent heights of land and slopes associated with the Escarpment.
3. The lands are required to provide an open landscape and buffer for the Escarpment Natural Areas.
4. The area includes important Life Science Sites and Natural Areas of Provincial Significance (Earth Science).
5. The area includes the headwaters of several significant cold water creeks.
6. Portions of the lands are identified as being ground water infiltration areas.
7. Portions of the lands are identified as having potential archaeological and historical significance.

File No. 500-34 **Page** 1054 **Submission No.** 253

Name: Muriel Lowcock.

Land: Part Lot 25, Concession 2 EHS, Mulmur Township.

Proposed Plan: Escarpment Protection.

Submission: Did not object to the Proposed Plan designation on their land.

Related Submissions: 250 (Township of Mulmur), 252, 266, 272.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

File No. 500-8 Page 1055 Submission No. 254

Name: Donald Moffatt.

Land: Part Lot 12, Concession 6 EHS, Mono Township.

Proposed Plan: Escarpment Protection, Escarpment Natural.

Submission: Requested deletion of land from Proposed Plan since he has an operating farm.

Related Submission: 316 (Township of Mono).

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT WITH MODIFICATIONS.

Reasons:

1. The Hearing Officers did not recommend deletion of the applicant's lands nor did they alter the Escarpment Natural designation on the property.
2. See the Commission's recommendations on the general designation change (Escarpment Protection to Escarpment Rural) in Submission 316 (Township of Mono).

File No. 500-30 Page 1057 Submission No. 256

Name: Ontario Trail Riders Association.

Land: Dufferin County.

Proposed Plan: Trails.

Submission: No position either for or against Proposed Plan. Suitable land should be available for their activities.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

File No. 500-27 **Page** 1059 **Submission No.** 258

Name: Reinhold and Brunhilde Wechsel.

Land:

1. Part Lot 26, Concession 3 EHS, Mono Township.
2. Part Lot 28, Concession 1 EHS, Mono Township.

Proposed Plan: Escarpment Protection.

Submission: Lands are flat farmland with no visible Escarpment on the properties and should be deleted.

Related Submissions: 270, 309, 263, 268, 273, 324, 316 (Township of Mono).

Hearing Officers' Recommendation:

1. The Hearing Officers seemed to suggest the deletion of the applicant's two properties.
2. The Niagara Escarpment Commission should consider deleting all the other lands in Lots 26 to 32, Concession 1 WHS and 1 EHS.

N.E.C. Recommendations:

1. REJECT.
2. ACCEPT. CONSIDER AND DO NOT DELETE.

Reasons:

1. (a) Lot 26, Concession 3 EHS.

(i) The visible Escarpment face is located immediately north and west of the property.

(ii) The deletion would create a hole in the Plan in an area directly below the Escarpment.

(iii) The lands abut an area considered by the Ministry of Natural Resources to include an important Life Science site.

(iv) This is a ground water infiltration area and contains part of a significant fisheries stream.

(v) The lands are identified as having important scenic value.

1. (b) Lot 28, Concession 1 EHS.

(i) The lands are located on the most prominent height of land associated with the Escarpment.

(ii) The lands are located in a ground water infiltration area.

(iii) The lands are considered to be of important scenic value as part of the Escarpment open landscape.

(iv) The lands are required to provide continuity to the Escarpment Plan.

2. Lots 26 to 32, Concession 1 WHS and 1 EHS.

(i) The lands are located on the most prominent height of land associated with the Escarpment which in this area includes the brow and lands in the immediate vicinity.

(ii) The lands are included in a ground water infiltration area and in part contain the head waters of significant cold water streams.

(iii) The lands are an important scenic resource associated with the Escarpment.

(iv) The lands, in part, have been identified as having potential archaeological importance.

(v) The area is required to provide Plan continuity.

3. See the Commission's recommendations on the general designation change (Escarpment Protection to Escarpment Rural) in Submission 316 (Township of Mono).

File No. 500-16 **Page** 1061 **Submission No.** 260

Name:

Charlene Butler
Donna Leman
Joseph and Joyce Mathews
Gary and Nan Deman
Richard Frank and Gail Love
Redford O'Dell
Gladys Fowler
Mr. and Mrs. Knolty

Land: Part Lots 24, 25 and 26, Concessions 1 and 2 EHS, Township of Mono.

Proposed Plan: Escarpment Rural, Escarpment Protection, Escarpment Natural.

Submission: Delete all of the lands owned by those named above. (Note that Charlene Butler's lands are not within the Proposed Plan Area).

Related Submision: 316 (Township of Mono).

Hearing Officers' Recommendations: None.

N.E.C. Recommendation: ACCEPT WITH MODIFICATIONS.

Reason: Some of the lands are suitable for deletion. See the Commission's recommendation on Submission 316 (Township of Mono).

File No. 500-14 **Page** 1062 **Submission No.** 261

Name: Lloyd Thomson.

Land: Part East ½ of Lot 7, Concession 1 EHS and Part West ½ of Lot 7, Concession 2 EHS, Township of Mono.

Proposed Plan: Escarpment Natural and Escarpment Protection.

Submission:

1. Delete, or
2. Allow 3 dwellings to be erected on the lands, or
3. Have the province enter into negotiations for purchase of the property.

Related Submission: 316 (Township of Mono).

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

File No. 500-37 **Page** 1064 **Submission No.** 262

Name: Donald Cullen.

Land: Part West ½ Lot 14, Concession 2 EHS, Mono Township.

Proposed Plan: Escarpment Rural.

Submission: Delete.

Related Submission: 316 (Township of Mono).

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

File No. 500-47 **Page** 1065 **Submission No.** 263

Name: Ralph S. McCreath.

Land: East ½ Lot 31, Concession I WHS, Mono Township.

Proposed Plan: Escarpment Protection.

Submission: There is no visible scarp in the immediate area and the lands should be deleted.

Related Submissions: 270, 309, 258, 268, 273, 324, 316 (Township of Mono).

Hearing Officers' Recommendations:

1. Delete.
2. The Niagara Escarpment Commission should consider deleting all the other lands in Lots 26 to 32, Concession I WHS and I EHS.

N.E.C. Recommendations:

1. REJECT.
2. ACCEPT. CONSIDER AND DO NOT DELETE.

Reasons:

1. East ½ Lot 31, Concession I WHS.

(a) The lands are located on the most prominent height of land associated with the Escarpment.

(b) The lands are located in a ground water infiltration area.

(c) The lands are considered to be of important scenic value as part of the Escarpment open landscape.

(d) These lands substantially ensure that the Proposed Plan provides the continuity of the natural environment of the Niagara Escarpment and land in its vicinity.

2. Lots 26 to 32, Concession I WHS and I EHS.

(a) The lands are located on the most prominent height of land associated with the brow of the Escarpment.

(b) The lands are included in a ground water infiltration area and in part contain the headwaters of significant cold water streams.
(c) The lands, in part, have been identified as having potential Escarpment related archaeological importance.
(d) The lands are an important scenic resource associated with the Escarpment.
(e) These lands substantially ensure that the Proposed Plan provides the continuity of the natural environment of the Niagara Escarpment and land in its vicinity.
3. See the the Commission's recommendations on the general designation change (Escarpment Protection to Escarpment Rural) in Submission 316 (Township of Mono).

File No. 500-28 **Page** 1067 **Submission No.** 264

Name: J. V. McKee.

Land: Part East ½ Lots 12 and 13, Concession 1 EHS, Mulmur Township.

Proposed Plan: Escarpment Protection and Escarpment Rural.

Submission: The property is actively farmed and should be removed from the Proposed Plan.

Related Submissions: 250 (Township of Mulmur).

Hearing Officers' Recommendation: Delete.

N.E.C. Recommendation: REJECT.

Reasons:
1. The brow of the Niagara Escarpment cuts across the northern portion of the property.
2. The lands are included in a ground water recharge area.
3. The lands are required to provide for an open landscape and physical and visual buffer in an area associated with the Escarpment feature.

4. These lands substantially ensure that the Proposed Plan provides for the continuity of the natural environment of the Niagara Escarpment and land in its vicinity.
5. See the Commission's recommendations on Submission 250 (Township of Mulmur) regarding the designation change (Escarpment Protection to Escarpment Rural) and deletion of Rural Areas.

File No. 500-42 **Page** 1068 **Submission No.** 265

Name: Mary Jane T. Weir.

Land: Part Lot 17, Concession 3 WHS, Mulmur Township.

Proposed Plan: Escarpment Rural.

Submission: Requested clarification of permitted uses regarding kennels and home occupations, and supported Mulmur Township's suggestion for deletion of the area.

Related Submission: 250 (Township of Mulmur).

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT WITH MODIFICATIONS.

Reasons:

1. The applicant's lands could be deleted.
2. The Plan should provide guidance in its Permitted Uses Sections for kennel operations and home occupations. Such uses should also be defined in the Definition Section of the Plan.

File No. 500-19 **Page** 1069 **Submission No.** 266

Name: Harrison, Keywan and Fiddlement.

Land: Part Lot 25, Concession 2 EHS, Township of Mulmur.

Proposed Plan: Escarpment Protection.

Submission: Delete.

Related Submissions: 250 (Township of Mulmur), 252, 253, 272.

Hearing Officers' Recommendation: That the Niagara Escarpment Commisison give consideration to deleting all lands in Lots 22, 23, 24 and 25, Concessions 2, 3 and 4 EHS, Township of Mulmur.

N.E.C. Recommendation: ACCEPT. CONSIDER AND DO NOT DELETE.

Reasons:

1. The lands are located on the Escarpment.
2. The lands include some of the most prominent heights of land and slopes associated with the Escarpment.
3. The lands are required to provide an open landscape and buffer for the Escarpment Natual Areas.
4. The area includes important Life Science Sites and Natural Areas of Provincial Significance (Earth Science).
5. The area includes the headwaters of several significant cold water creeks.
6. Portions of the lands are identified as being ground water infiltration areas.
7. Portions of the lands are identified as having potential archaeological and historical significance.
8. See the Commission's recommendations on the general designation change (Escarpment Protection to Escarpment Rural) in Submission 250 (Township of Mulmur).

File No. 500-53 **Page** 1072 **Submission No.** 268

Name: Bert Horner.

Land: Part West ½ Lot 32, Concession I EHS and West ½ Lot 31, Concession I EHS, Mono Township.

Proposed Plan: Escarpment Protection.

Submission: The lands are used for mixed farming and are improperly designated. Request is for lands to be removed from the Escarpment Protection Area.

Related Submissions: 270, 309, 258, 263, 273, 324, 316 (Township of Mono).

Hearing Officers' Recommendation:

1. Delete.
2. Niagara Escarpment Commission should consider deleting all the other lands in Lots 26 to 32, Concession I WHS and I EHS.

N.E.C. Recommendations:

1. REJECT.
2. ACCEPT. CONSIDER AND DO NOT DELETE.

Reasons:

1. Part Lot 31 and 32, Concession I EHS.

(a) The lands are located on the most prominent height of land associated with the Escarpment.

(b) The lands are located in a ground water infiltration area.

(c) The lands are considered to be of important scenic value as part of the Escarpment open landscape.

(d) These lands substantially ensure that the Proposed Plan provides the continuity of the natural environment of the Niagara Escarpment and land in its vicinity.

2. Lots 26 to 32, Concession I EHS.

(a) The lands are located on the most prominent height of land associated with the brow of the Escarpment.

(b) The lands are included in a ground water infiltration area and in part contain the headwaters of significant cold water streams.

(c) The lands are an important scenic resource associated with the Escarpment.

(d) The lands in part have been identified as having potential archaeological importance.

(e) These lands substantially ensure that the Proposed Plan provides the continuity of the natural environment of the Niagara Escarpment and land in its vicinity.

3. See the Commission's recommendations on the general designation change (Escarpment Protection to Escarpment Rural) in Submission 316 (Township of Mono).

File. 500-54 **Page** 1074 **Submission No.** 269

Name: Borden Brown.

Land: Part Lot 5, Conc. 2 WHS, Township of Mulmur.

Proposed Plan: Escarpment Rural.

Submission: Lands are actively farmed and should be deleted from the Proposed Plan Area.

Related Submission: 250 (Township of Mulmur).

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT WITH MODIFICATIONS.

Reason: See the Commission's recommendations on Submission 250 (Township of Mulmur) regarding deletion of Escarpment Rural Areas.

File No. 500-55 **Page** 1076 **Submission No.** 270

Name: Howard Gallaugher.

Land: Part Lot 17, Concession I WHS, and Part Lot 17, Concession I EHS, Township of Mulmur.

Proposed Plan: Escarpment Natural , Escarpment Protection, Escarpment Rural.

Submission: Request deletion from Proposed Plan or redesignation of Escarpment Natural and Escarpment Protection to Escarpment Rural.

Related Submissions: 300, 309, 704, 250 (Township of Mulmur).

Hearing Officers' Recommendation: That this lot and all the neighbouring Escarpment Rural Area designated lands in lots 16, 17, 18, 19 and 20, Concessions I WHS and I EHS be retained in the Plan.

N.E.C. Recommendation: ACCEPT WITH MODIFICATIONS.

Reason: See the Commission's recommendations on Submission 250 (Township of Mulmur) regarding the general designation change (Escarpment Protection to Escarpment Rural).

File No. 500-74 **Page** 1078 **Submission No.** 271

Name: Hubert Kaiser.

Land: Lots 30 and 31, Concession I EHS, Lots 29, 30 and 31, Concession 2 EHS, Township of Mulmur.

Proposed Plan: Escarpment Natural, Escarpment Protection, Escarpment Rural.

Submission: Delete all or, failing this, delete the Escarpment Rural Areas and change the Escarpment Protection to Escarpment Rural.

Related Submissions: 250 (Township of Mulmur), 286, 288, 702.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT WITH MODIFICATIONS.

Reasons:

1. The Hearing Officers did not recommend deletion of all the appliant's lands.
2. See the Commision's recommendations on Submission 250 (Township of Mulmur) regarding designation change (Protection to Rural) and deletion of Escarpment Rural Areas.

File No. 500-35 **Page** 1080 **Submission No.** 272

Name: Jade Mountain Estates Limited.

Land: Part East ½ Lot 25, Concession 2 EHS, Township of Mulmur.

Proposed Plan: Escarpment Protection.

Submission: Request deletion from Proposed Plan in order to develop a subdivison.

Related Submissions: 250 (Township of Mulmur), 252, 253, 266.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT WITH MODIFICATION.

Reasons:

1. The Hearing Officers did not recommend deletion of the lands from the Proposed Plan.
2. See the Commission's recommendations on Submission 250 (Township of Mulmur) regarding the general designation change (Escarpment Protection to Escarpment Rural).

File No. 500-89 **Page** 1081 **Submission No.** 273

Name: George Hodgson.

Land: East ½ Lot 30, Concession I WHS, Mono Township.

Proposed Plan: Escarpment Protection.

Submission: There is no visible rock on the farm and the nearest Escarpment view is about 5 km (3 miles) away. Lands are not in Development Control and should be removed from the Proposed Plan.

Related Submission: 207, 309, 258, 263, 268, 324, 316 (Township of Mono).

Hearing Officers' Recommendation:

1. Delete.
2. The Niagara Escarpment Commission should consider deleting all other lands in Lots 26 to 32, Concession I WHS and I EHS.

N.E.C. Recommendations:

1. REJECT.
2. ACCEPT. CONSIDER AND DO NOT DELETE.

Reasons:

1. East ½ Lot 30, Concession I WHS.

(a) The lands are located on the most prominent height of land associated with the Escarpment.

(b) The lands are located in a ground water infiltration area.

(c) The lands are considered to be of important scenic value as part of the Escarpment open landscape.

(d) These lands substantially ensure that the Proposed Plan provides the continuity of the natural environment of the Niagara Escarpment and land in its vicinity.

2. Lots 26 to 32, Concessions I EHS and I WHS.

(a) The lands are located on the most prominent height of land associated with the brow of the Escarpment.

(b) The lands are included in a ground water infiltration area and in part contain the headwaters of significant cold water streams.

(c) The lands are an important scenic resource associated with the Escarpment.

(d) These lands include the brow and lands in the immediate vicinity.

(e) The lands in part, have been identified as having potential archaeological importance.

3. See the Commission's recommendations on Submission 316 (Township of Mono) regarding the designation change (Escarpment Protection to Escarpment Rural).

File No. 500-32 **Page** 1082 **Submission No.** 274

Name: Murray Goldman.

Land: Part Lot 11, Concession 5 EHS, Township of Mono.

Proposed Plan: Escarpment Natural, Escarpment Protection.

Submission: To sever and develop three lots fronting on the Hockley Valley Road. The Escarpment Recreation Area should be extended (Valley Schuss) to these lands to permit the development.

Related Submission: 316 (Township of Mono).

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT WITH MODIFICATIONS.

Reasons:

1. The Hearing Officers did not recommend that the Escarpment Recreation Area be extended.
2. See the Commission's recommendations on Submission 316 (Township of Mono) regarding designation change (Protection to Rural).

File No. 500-21 **Page** 1084 **Submission No.** 275

Name: M. Bruno.

Land: East ½'s Lots 29 and 30, Concession 5 EHS, Township of Mulmur.

Proposed Plan: Escarpment Natural, Escarpment Protection.

Submission: Change Escarpment Protection to Escarpment Rural.

Related Submissions: 250 (Township of Mulmur), 701.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: NONE.

Reason: See the Commission's recommendation on Submission 250 (Township of Mulmur) regarding the designation change (Protection to Rural).

File No. 500-71 **Page** 1086 **Submission No:** 276

Name: Mr. and Mrs. R. M. P. Hamilton.

Land: Lots 16 and 17, Concessions 2 and 3 WHS, Township of Mulmur.

Proposed Plan: Escarpment Protection, Escarpment Rural.

Submission: The land is, for the most part, farmed. Owners eventually wish to subdivide the lands. Do not wish controls on wooded lands. Request deletion from Proposed Plan.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT WITH MODIFICATIONS.

Reasons:

1. Hearing Officers did not recommend that the majority of the lands (Escarpment Protection Area) be deleted.
2. See the Commission's recommendation on Submission 250 (Township of Mulmur) regarding the designation change (Protection to Rural) and deletion of Escarpment Rural Areas.

File No. 500-2 **Page** 1088 **Submission No.** 277

Name: Samuel H. Morrow.

Land: Part Lot 14, Concession 1 OS, Township of Melancthon.

Proposed Plan: Escarpment Natural, Escarpment Protection, Escarpment Rural.

Submission: Wishes to divide his client's 12 ha (30 ac.) property into two building lots. He has been unsuccessful in his attempts to get development permits. Would prefer local control and zoning. Exception is not taken to the Escarpment Natural Area.

Related Submissions: 276 (Township of Melancthon), 304, 305, 306, 307, 308, 712.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: NONE.

Reason: See the Commission's recommendations on Submission 267 (Township of Melancthon) regarding the deletion of areas.

File No. 500-40 **Page** 1090 **Submission No.** 278

Name: Dufferin Federation of Agriculture.

Proposed Plan: Permitted Uses and Agriculture.

Submission:

1. Farming should not be considered part of the natural environment.
2. Many uses permitted by the Proposed Plan are not compatible with agriculture.
3. Opposed to uncertainty of Development Control.
4. Concerned about possible misuse of Sections 14 and 18 in The Niagara Escarpment Planning and Development Act.
5. Plan should be limited to only those areas where the Escarpment is exposed in Dufferin County.

Related Submissions: 250 (Mulmur Township), 267 (Melancthon Township), 316 (Mono Township).

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: NONE.

Reasons:

1. See the Commission's recommendations on Submissions 250, 267 and 316 regarding the deletion of areas.
2. See the Commission's recommendations, comments and reasons in the general section of the this report.

File No. 500-24 **Page** 1092 **Submission No.** 279

Name: Ralph Davison.

Land: Lot 11, Concession I EHS, Township of Mulmur.

Proposed Plan: Escarpment Rural.

Submission: Farmland should not be included in the Proposed Plan Area and not be used as a buffer for other uses.

Related Submission: 250 (Township of Mulmur).

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: NONE.

Reason: See the Commission's recommendations on Submission 250 (Township of Mulmur) regarding the deletion of areas.

File No. 500-51 **Page** 1093 **Submission No.** 280

Name: Norman H. Moffatt.

Land: South ½ Lot 6, Concession 6 EHS, Township of Mono.

Proposed Plan: Escarpment Rural.

Submission: Delete.

Related Submissions: 316 (Township of Mono), 281.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

File No. 500-44 **Page** 1094 **Submission No.** 281

Name: Margery Fitzgerald.

Land: North ½ Lot 6, Concession 6 EHS, Township of Mono.

Proposed Plan: Escarpment Rural.

Submission: Delete.

Related Submissions: 316 (Township of Mono), 284.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: NONE.

Reason: See the Commission's recommendations on Submission 316 (Township of Mono) regarding the deletion of areas.

File No. 500-23 **Page** 1096 **Submisson No.** 283

Name: Helen Sinclair.

Land: Part Lots 12 and 13, Concession 1 EHS, and Part Lot 12, Concession 2 EHS, Township of Mono.

Proposed Plan: Escarpment Natural, Escarpment Protection and Acquisition.

Submission:

1. Priority regarding acquisition of Scott's Falls should be removed.
2. Lot 12, Concession 1 EHS, should be changed from Escarpment Protection to Escarpment Rural, or exception be made to allow severance of all or part of this parcel.
3. That Lot 13, Concession 1 EHS be changed from Escarpment Protection to Escarpment Rural or that the regulations be clarified to allow for expansion of the existing dwellings.

Related Submission: 316 (Township of Mono).

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT WITH MODIFICATIONS.

Reasons:

1. The Commission agrees that priorities should not be set on lands identified for acquisition since land will only be purchased if owners express a willingness to sell.
2. The Commission agrees that consent policies should be clarified to allow severances along original township lot lines. As well, it should be made clear that the acquisition of a lot by a public body will not be considered as a previous severance.
3. See the Commission's recommendations on Submission 316 (Township of Mono) regarding the designation change (Escarpment Protection to Escarpment Rural).
4. See the Commission's recommendations, comments and reasons in the general section of the this report.

File No. 500-49 **Page** 1098 **Submission No.** 284

Name: Sergei and Erika Rauk.

Land: Part West ½ Lot 11, Concession 2 EHS, Township of Mono.

Proposed Plan: Escarpment Protection.

Submission: Submission is concerning an apparent illegal farming operation next-door to the Rauks.

Related Submission: 316 (Township of Mono).

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: NONE.

Reason: See the Commission's recommendations on Submission 316 (Township of Mono) regarding the designation change (Escarpment Protection to Escarpment Rural).

File No. 500-12 **Page** 1100 **Submission No.** 286

Name: Ian Hawkins.

Land: Lot 29, Concession 1 EHS, Township of Mulmur.

Proposed Plan: Escarpment Natural, Escarpment Protection, Escarpment Rural.

Submission: Escarpment Natural and Protection Areas interfere with the applicant's farm operation. The Proposed Plan places greater emphasis on recreation than farming. Control should be returned to local councils.

Related Submissions: 250 (Township of Mulmur), 271, 288, 702.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT WITH MODIFICATIONS.

Reasons:

1. The Hearing Officers did not recommend deletion of the Escarpment Natural or Escarpment Protection Areas.
2. See the Commission's recommendations on Submission 250 (Township of Mulmur) regarding the designation change (Escarpment Protection to Escarpment Rural) and deletion of Rural Areas.
3. See the Commission's recommendations, comments and reasons in the general section of the this report.

File No. 500-22 **Page** 1103 **Submission No** 288

Name: Harold Davidson.

Land: West ½ Lot 29, Concession I EHS, and Part Lots 31 and 32, Concession I EHS, Township of Mulmur.

Proposed Plan: Escarpment Natural, Escarpment Protection, Escarpment Rural.

Submission:

1. Proposed Plan should only include scarp areas.
2. All good agricultural land should be removed.
3. Greater emphasis should be placed on agriculture.
4. Recreation should not be encouraged on private land.
5. An economic impact study on the effects of the Plan on agriculture should be carried out.
6. Farming must take priority over other uses.
7. The word "viable" should be removed.
8. A needs study prior to the acquisition of more parkland should be done.

9. Land should be purchased at fair market value.
10. Expropriation be removed from The Niagara Escarpment Planning and Development Act.
11. Administration by local government.
12. Wording clarification in Plan.
13. Remove Bruce Trail from Plan.
14. All trails should be on public land and road allowances.
15. Delete the Davidson's lands from the Plan.

Related Submissions: 250 (Township of Mulmur), 271, 286, 702.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT WITH MODIFICATIONS.

Reasons:

1. Hearing Officers did not recommend the deletion of all of the applicant's lands.
2. See the Commission's recommendations on Submission 250 (Township of Mulmur) regarding the designation change (Escarpment Protection to Escarpment Rural) and deletion of Rural Areas.
3. See the Commission's recommendations, comments and reasons in the general section of the this report.

File No. 500-56 **Page** 1106 **Submission No.** 289

Name: Foundation for Aggregate Studies.

Proposed Plan: Aggregate Policies.

Submission:

1. Prohibit pits and quarries in Escarpment Natural and Protection Areas.
2. Prior to the licensing of new pits or quarries in Escarpment Rural Areas there must be assessments, on the natural and social environment, as well as an amendment to the Plan.
3. In the event a licence is issued there should be stringent rehabilitation requirements.

Related Submission: 215 (G700-143).

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

File No. 500-50 **Page** 1108 **Submission No.** 290

Name: Ralph and Donna Goldman.

Land: Part East ½ Lot 10, Concession 4EHS, Township of Mono.

Proposed Plan: Escarpment Natural, Escarpment Protection.

Submission: Request for subdivision of subject lands into three lots along the Hockley Road.

Related Submission: 316 (Township of Mono).

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT WITH MODIFICATIONS.

Reasons:

1. Hearing Officers did not recommend the deletion of the lands from the Proposed Plan nor did they recommend the approval of three new lots.
2. See the Commission's recommendations on Submission 316 (Township of Mono) regarding the designation change (Escarpment Protection to Escarpment Rural).

File No. 500-17 **Page** 1110 **Submission No.** 292

Name: Hockley Valley Improvement Association.

Land: Mono Township (The Hockley Valley Area).

Proposed Plan: Permitted Uses, New Lots, Administration.

Submission:

1. Association favours preservation.
2. Feedlot operations should not be permitted.
3. Recreational uses should be limited.
4. Elected Council should administer controls.
5. Allow the creation of more lots.

Related Submission: 316 (Township of Mono).

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: NONE.

Reason: See the Commission's recommendations, comments and reasons in the general section of the this report.

File No. 500-68 **Page** 1111 **Submission No.** 293

Name: Gordon Henry.

Land: Part Lot 15, Concession 3 EHS, Township of Mono.

Proposed Plan: Escarpment Natural, Escarpment Rural.

Submission: Change the designations on his property to Escarpment Rural. Opposed to the Niagara Escarpment Commission controls.

Related Submission: 316 (Township of Mono).

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: **NONE.**

Reason: See the the Commission's recommendations on Submission 316 (Township of Mono) regarding the designation change (Escarpment Protection to Escarpment Rural).

File No. 500-69 **Page** 1112 **Submission No.** 294

Name: Norah Henry.

Lands: Part Lot 15, Concession 3 EHS, Township of Mono.

Proposed Plan: Escarpment Protection.

Submission: Change the designation on the property to Escarpment Rural.

Related Submission: 316 (Township of Mono).

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: NONE.

Reason: See the Commission's recommendations on Submission 316 (Township of Mono) regarding the designation change (Escarpment Protection to Escarpment Rural).

File No. 500-57 **Page** 1114 **Submission No.** 296

Name: Russel Tate.

Land: Part Lot 5, Concession I WHS and I EHS and Part Lot 12, Concession I WHS, Township of Mulmur.

Proposed Plan: Escarpment Natural, Escarpment Protection.

Submission: Applicant operates a farm and wishes the designations removed from his property. Nearby recreational uses could have a harmful effect on his operation.

Related Submission: 250 (Township of Mulmur).

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT WITH MODIFICATIONS.

Reasons:

1. The Hearing Officers did not recommend deletion of the lands.
2. The Hearing Officers did not recommend that the Escarpment Natural designation be altered.
3. See the Commission's recommendations on Submission 250 (Township of Mulmur) regarding the designation change (Escarpment Protection to Escarpment Rural) and deletion of Rural Areas.

File No. 600-62 **Page** 1117 **Submission No.** 298

Name: Earl Dodds.

Land: Part East ½ Lots 7 and 8, Concession 5 EHS and Part West ½ Lot 7, Concession 6 EHS, Township of Mono.

Proposed Plan: Escarpment Natural, Escarpment Protection.

Submission: Delete. In his opinion, controls have devalued his land. Escarpment Natural Area is part of his farm operation. The Escarpment is buried in this area.

Related Submission: 316 (Township of Mono).

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: **ACCEPT WITH MODIFICATIONS.**

Reasons:

1. The Hearing Officers did not recommend deletion of the lands.
2. The Hearing Officers did not recommend that the Escarpment Natural designation be altered.
3. See the Commission's comments on Submission 316 (Township of Mono) regarding the designation change (Escarpment Protection to Escarpment Rural).

File No. 500-67 **Page** 1118 **Submission No.**299

Name: Kenneth A. Gariepy.

Land: North ½ of West ½ and North ½ of East ½ of Lot 14, Concession 5 EHS, Township of Mono.

Proposed Plan: Escarpment Recreation.

Submission:

1. Requested that the adjacent property (former Montclair Ski Resort) be changed from Escarpment Recreation to Escarpment Protection.
2. Proposed Plan does not adequately address ponds and dams on private property.

Related Submissions: 316 (Township of Mono) 257, 282, 285, 287, 291, 295, 301, 709, 710.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: REJECT.

Reasons:

1. (a) The Montclair Ski Resort has not been operating since 1974.
   (b) Evidence presented at the Proposed Plan hearing was that the area had been improperly designated "Resort" in the local plan, and that the township's new by-law, if approved, would have placed the lands in a rural (A) zone.
   (c) All of the evidence presented indicated that the site was inappropriate for a ski resort (e.g. limited access, environmental constraints, incompatibility with adjacent uses).
   (d) The criterion for designation would call for the redesignation of the lands to Escarpment Protection and Escarpment Natural.
2. The Proposed Plan should address ponds, dams, watershed management and flood and erosion control projects in the Permitted Uses Sections. The Plan should also contain policies to cover these uses within the Plan's section on Development Criteria.

File No. 500-70 **Page** 1121 **Submission No.** 302

Name: Mr. and Mrs. D. B. Fowler.

Land: Part West ½ of Lot 9, Concession 4 EHS, Township of Mono.

Proposed Plan: Escarpment Protection, Minor Urban Centre Policies.

Submission: Minor Urban Centres do not give an accurate impression of size or location of a hamlet (Growth Policies).

Related Submission: 316 (Township of Mono).

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT WITH MODIFICATIONS.

Reasons: See the Commission's recommendations on Hearing Officers' Recommendation No. 13 in the general section of this report.

File No. 500-72 **Page** 1122 **Submission No.** 303

Name: Patricia Howes.

Land: Part Lot 16, Concession 3 EHS, Township of Mono.

Proposed Plan: Escarpment Natural, Escarpment Protection, Administration.

Submission:

1. Return planning to local control.
2. Include only the visible Escarpment in the Proposed Plan.
3. Do away with Development Control.

Related Submission: 316 (Township of Mono).

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: NONE.

Reasons:

1. See the Commission's recommendations on Submission 316 (Township of Mono) regarding the designation change (Escarpment Protection to Escarpment Rural) and deletion of Rural Areas.
2. See the Commission's recommendations, comments and reasons in the general section of this report.

File No. 500-91 **Page** 1123 **Submission No.** 304

Name: Evelyn Gallaugher.

Land: Part Lot 14, Concession 1 OS, Township of Melancthon.

Proposed Plan: Escarpment Natural, Escarpment Rural.

Submission: Delete.

Related Submissions: 267 (Township of Melancthon), 277, 305, 306, 307, 308, 712.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: NONE.

Reason: See the Commission's recommendations on Submisison 267 (Township of Melancthon) regarding the deletion of areas.

File No. 500-88 **Page** 1124 **Submission No.** 305

Name: L. McLaren.

Land: Part West ½ Lot 15, Concession 1 OS, Township of Melancthon.

Proposed Plan: Escarpment Natural, Escarpment Rural.

Submission: Land should be under the jurisdiction of the local municipality.

Related Submissions: 267 (Township of Melancthon), 277, 304, 306, 307, 308, 712.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: NONE.

Reason: See the Commission's recommendations on Submission 267 (Township of Melancthon) regarding the deletion of areas.

File No. 500-94 **Page** 1125 **Submission No.** 306

Name: Jaunita Gallaugher.

Land: Part Lot 15, Concession 2 OS, Township of Melancthon.

Proposed Plan: Escarpment Rural.

Submission: Deletion from Plan. Property is a small farm.

Related Submissions: 267 (Township of Melancthon), 277, 304, 305, 307, 308, 712.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: NONE.

Reason: See the Commission's recommendations on Submission 267 (Township of Melancthon) regarding the deletion of areas.

File No. 500-87 **Page** 1126 **Submission No.** 307

Name: Mrs. V. Hardman.

Land: Part Lots 14 and 15, Concession 1 OS, Township of Melancthon.

Proposed Plan: Escarpment Natural, Escarpment Rural.

Submission: Deletion from Proposed Plan.

Related Submissions: 267 (Township of Melancthon), 277, 304, 305, 306, 308, 712.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: NONE.

Reason: See the Commission's recommendations on Submission 267 (Township of Melancthon) regarding the deletion of areas.

File No. 500-39 **Page** 1127 **Submission No.** 308

Name: George Shepherd.

Land: Part Lot 14, Concession 2 OS, Melancthon Township.

Proposed Plan: Escarpment Rural.

Submission: Delete lands from Proposed Plan for the following reasons:

1. Land designated Hamlet in local plan.
2. Disagrees with Development Control.
3. Lands are on the edge of Proposed Plan.
4. Disagrees with Section 2.9.

Related Submissions: 267 (Township of Melancthon), 277, 304, 305, 306, 307, 712.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: NONE.

Reason: See the Commission's recommendations on Submission 267 (Township of Melancthon) regarding the deletion of areas.

File No. 500-77 **Page** 1128 **Submission No.** 309

Name: A. D. MacMillan.

Lands: Part East ½ Lot 18, Concession 1 WHS.

Proposed Plan: Escarpment Rural.

Submission: Delete.

Related Submissions: 270, 300, 704, 250 (Township of Mulmur).

Hearing Officers' Recommendation: Subject lands remain in the Plan.

N.E.C. Recommendation: ACCEPT.

File No. 500-75 **Page** 1129 **Submission No.** 310

Name: Dr. and Mrs. V. R. Perry.

Land: Part West ½ Lots 18 and 19, Concession 2 WHS, Township of Mulmur.

Proposed Plan: Escarpment Protection.

Submission: Deletion from the Proposed Plan for the following reasons:

1. Local plan is restrictive enough.
2. Municipal government is more responsible.
3. Niagara Escarpment Commission would allow pollution of lands by the public (i.e. excessive recreation).
4. Plan could become more restrictive in the future.

Related Submissions: 250 (Township of Mulmur), 276.

Hearing Officers' Recommendation: None

N.E.C. Recommendation: ACCEPT WITH MODIFICATION.

Reasons:

1. The Hearing Officers did not recommend that the lands be removed from the Plan.
2. See the Commission's recommendations on Submission 250 (Township of Mulmur) regarding the designation change (Escarpment Protection to Escarpment Rural).

File No. 500-73 **Page** 1132 **Submission No.** 312

Name: Boyne River Natural Science School.

Land: Part Lots 3, 4, 5, and 6, Concession 2 EHS, Township of Mulmur.

Proposed Plan: Escarpment Natural, Escarpment Protection , Permitted Uses.

Submission:

1. May need to develop school facilities on Escarpment Natural Areas.
2. Would like same privileges as the Ministry of Natural Resources in developing parks.

Related Submission: 250 (Township of Mulmur).

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT WITH MODIFICATIONS.

Reasons:

1. The Hearing Officers did not recommend deletion of the area from Proposed Plan nor recommend a change to the Escarpment Natural designation.
2. See the Commission's recommendations on Submission 250 (Township of Mulmur) regarding the designation change (Escarpment Protection to Escarpment Rural).

File No. 500-76 **Page** 1133 **Submission No.** 313

Name: C. T. Meredith.

Land: Part North ½ Lot 31, Concession I WHS, Township of Mulmur.

Proposed Plan: Escarpment Rural.

Submission: Remove agricultural land from the Proposed Plan. There is a difference between ecological and cultural preservation. Whole Proposed Plan should be reworded.

Related Submission: 250 (Township of Mulmur).

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT WITH MODIFICATIONS.

Reason: See the Commission's recommendations, comments and reasons in the general section of this report.

File No. 500-97 **Page** 1134 **Submission No.** 314

Name: Margaret Jarvis.

Land: Part East ½ Lot 14, Concession 6 EHS, Township of Mono.

Proposed Plan: Escarpment Protection.

Submission: Land should be removed from Proposed Plan. She is well removed from the Escarpment and Bruce Trail. Controls have devalued her property.

Related Submission: 316 (Township of Mono).

Hearing Officers' Recommendation: None

N.E.C. Recommendation: ACCEPT WITH MODIFICATIONS.

Reasons:

1. Hearing Officers did not recommend deletion of the lands from the Proposed Plan.
2. See the Commission's recommendations on Submission 316 (Township of Mono) regarding the designation change (Escarpment Protection to Escarpment Rural).

File No. 500-18 **Page** 1135 **Submission No.** 315

Name: Douglas Howes.

Land: Part Lot 16, Concession 3 EHS, Township of Mono.

Proposed Plan: Escarpment Natural, Escarpment Protection, Administration.

Submission:

1. Return planning to local control.
2. Include only visible Escarpment in Proposed Plan.
3. Not enough emphasis on social and economic impacts.

Related Submission: 316 (Township of Mono).

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: NONE.

Reasons:

1. See the Commission's recommendations on Submission 316 (Township of Mono) regarding the designation change (Escarpment Protection to Escarpment Rural) and deletion of Rural Areas.
2. See the Commision's recommendations, comments and reasons in the general section of this report.

File No. 500-59 **Page** 1139 **Submission No.** 317

Name: Eric and Phyllis White.

Land: Part Lots 6 and 7, Concession 3 EHS, Township of Mono.

Proposed Plan: Escarpment Natural, Escarpment Protection, Administration.

Submission:

1. Delete lands from the Proposed Plan.
2. Lands are farmland and there is no rock on the property.
3. Proposed Plan devalues property.
4. Return planning to local control.

Related Submission: 316 (Township of Mono).

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT WITH MODIFICATIONS.

Reasons:

1. Hearing Officers did not recommend deletion of the lands designated Escarpment Natural and Protection nor alteration to the Escarpment Natural designation.
2. See the Commission's recommendations on Submission 316 (Township of Mono) regarding the designation change (Escarpment Protection to Escarpment Rural) and deletion of Rural Areas.

File. 500-82 **Page** 1140 **Submission No.** 318

Name: Standard Industries Ltd.

Land: Pt. Lot 3, Conc. 7 EHS, Township of Mono.

Proposed Plan: Mineral Resource Area, Escarpment Rural Policies.

Submission:

1. Lands have been mined out and rehabilitated.
2. No consideration of permitted uses in Mineral Resource Areas.

3. Designation should be changed to Escarpment Protection and Escarpment Rural.
4. The change should not require an amendment to the Proposed Plan (Part 2.8).

Related Submissions: 316 (Township of Mono).

Hearing Officers' Recommendation: That these lands be designated Escarpment Rural.

N.E.C. Recommendation: ACCEPT WITH MODIFICATIONS.

Reasons:

1. The appropriate designation which should be placed on the majority of the property is Escarpment Rural. However, two small parts of the property should be designated otherwise.
    a) A very narrow strip along the most easterly boundary should be designated Escarpment Natural Area since the lands meet the following designation criteria:
        The least disturbed Escarpment slopes and related landforms associated with the underlying bedrock.
        Where forest lands abut the Escarpment this designation extends for 300M (1000 ft.) back from the brow of the Escarpment slope.
    b) Abutting the Escarpment Natural Area designation should be an area of Escarpment Protection. This meets the following designation criteria:
        Escarpment slopes and related landforms where existing land uses have significantly altered the natural environment.
        Areas in close proximity to Escarpment slopes which visually are part of the landscape unit.

2. See the Commission's recommendations on Submission 316 (Township of Mono) regarding the designation change (Escarpment Protection to Escarpment Rural).

3. See the Commission's recommendations, comments and reasons in the general section of this report.

File No. 500-15 **Page** 1141 **Submission No.** 319

Name: Keith Halbert.

Land: Part Lots 14, 15 and 16, Concession 4 EHS, Township of Mono.

Proposed Plan: Escarpment Natural, Escarpment Protection.

Submission: Requests removal from Proposed Plan because of problems encountered with the Niagara Escarpment Commission and Bruce Trail. Return planning to local control.

Related Submission: 316 (Township of Mono).

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT WITH MODIFICATIONS.

Reasons:

1. The Hearing Officers did not recommend deletion of the lands from the Proposed Plan nor alteration to the Escarpment Natural designation.
2. See the Commission's recommendations on Submission 316 (Township of Mono) regarding the designation change (Escarpment Protection to Escarpment Rural).

File No. 500-4 **Page** 1142 **Submission No.** 320

Name: Edelbrock Brother's Ltd.

Land: Part East ½ Lot 6, Concession I WHS, Township of Mono.

Proposed Plan: Escarpment Natural, Escarpment Rural.

Submission: These lands are included in a draft approved Plan of Subdivision and should be removed from the Proposed Plan.

Related Submission: 316 (Township of Mono).

Hearing Officers' Recommendation: Delete.

N.E.C. Recommendation: ACCEPT.

File No. 500-85 **Page** 1143 **Submission No.** 321

Name: Howard Ferris.

Land: Part Lots 11 and 12, Concession 3 WHS, Township of Mulmur.

Proposed Plan: Escarpment Natural, Escarpment Protection.

Submission: Lands are actively farmed and should be removed from the Proposed Plan.

Related Submission: 250 (Township of Mulmur).

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT WITH MODIFICATIONS.

Reasons:

1. The Hearing Officers did not recommend deletion of the lands nor did they recommend alteration to the Escarpment Natural designation.

2. See the Commission's recommendations on Submission 250 (Township of Mulmur) regarding the designation change (Escarpment Protection to Escarpment Rural).

File No. 500-58 **Page** 1144 **Submission No.** 322

Name: Gordon Henry.

Land: Part Lot 15, Concession 3 EHS, Township of Mono.

Proposed Plan: Escarpment Protection.

Submission: Change designation to Escarpment Rural.

Related Submission: 316 (Township of Mono).

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: NONE.

Reason: See the Commission's recommendations on Submission 316 (Township of Mono) regarding the designation change (Escarpment Protection to Escarpment Rural).

File No. 500-96 **Page** 1145 **Submission No.** 323

Name: Donald Robb.

Land: Part Lot 8, Concession 5 EHS, Township of Mono.

Proposed Plan: Escarpment Natural.

Submission: The lands cannot be developed because of the Proposed Plan.

Related Submission: 316 (Township of Mono).

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

File No. 500-43 **Page** 1146 **Submission No.** 324

Name: Mrs. Kathy Miller.

Lands:
1. East ½ Lot 28, Concession I EHS, Mono Township.
2. East ½ Lot 11, Concession I EHS, Mono Township.

Proposed Plan: Escarpment Protection.

Submission: Delete.

Related Submission: 270, 309, 258, 263, 268, 273, 316 (Township of Mono).

Hearing Officers' Recommendations:
1. Delete Lot 28, Concession I EHS.
2. Delete Lot 11, Concession I EHS.
3. The Niagara Escarpment Commission should consider deleting all other lands in Lots 26 to 32, Concession I WHS and I EHS.
4. The Niagara Escarpment Commission should consider deleting Escarpment Protection Area lands immediately south of subject property in Lot 11, Concession I EHS.

N.E.C. Recommendations:
1. REJECT.
2. REJECT.
3. ACCEPT. CONSIDER AND DO NOT DELETE.

4. ACCEPT. CONSIDER AND DO NOT DELETE.

Reasons:

1. Lot 28, Concession I EHS

(a) The lands are located on the most prominent height of land associated with the Escarpment.

(b) The lands are located in a ground water infiltration area.

(c) The lands are considered to be of important scenic value as part of the Escarpment open landscape. Panoramic views across the eastern portion of the township and beyond are afforded from the height of land at the rear of the property.

(d) These lands substantially ensure that the Proposed Plan provides the continuity of the natural environment of the Niagara Escarpment and land in its vicinity.

2. Part Lot 11, Concession I EHS.

(a) The lands are situated directly on the Escarpment.

(b) The lands are located in proximity to Natural Areas of Provincial Significance (Earth and Life Science).

(c) The lands are adjacent to the headwaters of a significant cold water stream (a tributary of the Nottawasaga River).

(d) The lands are part of an important scenic resource associated with the Escarpment.

3. Lots 26 to 32, Concession I WHS and I EHS.

(a) The lands are located on the most prominent height of land associated with the brow of the Escarpment.

(b) The lands are included in a ground water infiltration area and in part contain the headwaters of significant cold water streams.

(c) The lands in part, have been identified as having potential Escarpment related archaeological importance.

(d) The lands are an important scenic resource associated with the Escarpment.

(e) These lands substantially ensure that the Proposed Plan provides the continuity of the natural environment of the Niagara Escarpment and land in its vicinity.

4. Lot 11, Concession I EHS.

(a) The area is located on the Escarpment.

(b) The area is located in proximity to Natural Areas of Provincial Significance and provides an important buffer to the Earth and Life Science Sites.

(c) The area is adjacent to the headwaters of a significant cold water stream and also serves a ground water infiltration function.

(d) The area is an important scenic resource associated with the Escarpment.

(e) The area is recognized as having potential archaeological significance.

5. See the Commission's comments on Submission 316 (Township of Mono) regarding the general designation change (Escarpment Protection to Escarpment Rural).

File No. 500-83 **Page** 1148 **Submission No.** 325

Name: John R. Johnston.

Land: Part Lot 32, Concession 2 EHS, Township of Mono.

Proposed Plan: Escarpment Natural, Escarpment Rural.

Submission: Delete.

Related Submission: 316 (Township of Mono).

Hearing Officers' Recommendation: Delete.

N.E.C. Recommendation: REJECT.

Reasons:

1. The portion of the property designated Escarpment Natural is, in the Commission's opinion, properly designated and included in the Plan.
2. See the Commission's recommendations on Submission 316 (Township of Mono) regarding the deletion of areas.

File No. 500-107 **Page** 1149 **Submission No.** 698

Name: Mr. and Mrs. Mervyn Ferris.

Land: Part Lots 13 and 14, Concessions 1 and 2 WHS, Township of Mulmur.

Proposed Plan: Escarpment Natural, Escarpment Protection.

Submission:

1. Delete lands designated Escarpment Protection, or
2. Change the designation of the Escarpment Protection to Escarpment Rural.

Related Submission: 250 (Township of Mulmur).

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: NONE.

Reason: See the Commission's recommendations on Submission 250 (Township of Mulmur) regarding the designation change (Escarpment Protection to Escarpment Rural).

File No. 500-31 **Page** 1150 **Submission No.** 699

Name: Keith J. McNenly.

Land: Part East ½ Lot 6, Concession 1 WHS, Township of Mono.

Proposed Plan: Escarpment Natural, Escarpment Rural.

Submission: Delete.

Related Submission: 316 (Township of Mono).

Hearing Officers' Recommendation: Delete.

N.E.C. Recommendation: REJECT.

Reasons:

1. The portion of the property designated Escarpment Natural is, in the Commission's opinion, properly designated and included in the Proposed Plan.
2. See the Commission's recommendations on Submission 316 (Township of Mono) regarding the deletion of areas.

File No. 500-61 **Page** 1151 **Submission No.** 700

Name: L. S. Dodds.

Land: Part west ½ Lots 9 and 10, Concession 4 EHS, Township of Mono.

Proposed Plan: Escarpment Natural, Escarpment Protection, Minor Urban Centre.

Submission: Supports position of Mono Township.

Related Submission: 316 (Township of Mono).

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: NONE.

Reasons:

1. See the Commission's recommendations on Submission 316 (Township of Mono) regarding the designation change (Escarpment Protection to Escarpment Rural).

2. See the Commission's comments and reasons in the general section of this report.

File No. 500-78 **Page** 1152 **Submission No.** 701

Name: Mr. and Mrs. Graham.

Land: East ½ Lot 31, Concession 5 EHS, Township of Mulmur.

Proposed Plan: Escarpment Natural, Escarpment Protection.

Submission: The lands are not part of the Escarpment nor lands in the vicinity and should be deleted.

Related Submissions: 250 (Township of Mulmur), 275.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT WITH MODIFICATIONS.

Reasons:

1. The Hearing Officers did not recommend deletion of the lands.
2. See the Commission's recommendations on Submission 250 (Township of Mulmur) regarding the designation change (Escarpment Protection to Escarpment Rural).

File No. 500-79 **Page** 1153 **Submission No.** 702

Name: Robert Wilkinson.

Land: Part East ½ Lot 32, Concession 1 EHS, Part West ½ Lot 32, Concession 2 EHS, Township of Mulmur.

Proposed Plan: Escarpment Natural, Escarpment Protection, Escarpment Rural.

Submission: Lands are part of a farm operation. Farming is not part of the natural environment and should be deleted from the Proposed Plan.

Related Submissions: 250 (Township of Mulmur), 271, 286, 288.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT WITH MODIFICATIONS.

Reasons:

1. The Hearing Officers did not recommend deletion of the East ½ Lot 32, Concession I EHS.
2. See the Commission's recomendations on Submission 250 (Township of Mulmur) regarding the designation change (Escarpment Protection to Escarpment Rural) and deletion of Rural Areas.

File No.500-81 **Page** 1154 **Submission No.** 703

Name: Wilson R. Still and Ruth Still.

Land: Part West ½ Lot 8, Concession 3 EHS, Township of Mono.

Proposed Plan: Escarpment Protection, Escarpment Natural.

Submission: Delete.

Related Submission: 316 (Township of Mono).

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT WITH MODIFICATIONS.

Reasons:

1. The Hearing Officers did not recommend deletion of the lands.
2. See the Commission's recommendations on Submission 316, (Township of Mono) regarding the designation change (Escarpment Protection to Escarpment Rural).

File No. 500-98 **Page** 1155 **Submission No.** 704

Name: William Sloam.

Lands: Part East ½ Lot 20, Concession I EHS, Township of Mulmur.

Proposed Plan: Escarpment Protection and Escarpment Rural.

Submission: Delete.

Related Submissions: 270, 300, 309, 250 (Township of Mulmur).

Hearing Officers' Recommendation: That the subject lands remain in the Plan.

N.E.C. Recommendations: ACCEPT WITH MODIFICATIONS.

Reasons: See the Commission's recommendations on Submission 250 (Township of Mulmur) regarding the general designation change (Escarpment Protection to Escarpment Rural).

File No. 500-9 **Page** 1156 **Submission No.** 705

Name: Niagara Escarpment Central Ratepayers Association.

Land: Dufferin County.

Proposed Plan: Agriculture, Administration.

Submission:

1. Agriculture should be maintained.
2. A comprehensive study on agriculture should be carried out in the area.
3. Each county/region should have its own agricultural policy.
4. Agriculture and recreation are incompatible.
5. Restrictions should not be applied to farms.
6. Zoning is the preferred method of land use control.

Related Submissions: 250 (Township of Mulmur), 316 (Township of Mono), 267 (Township of Melancthon).

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: NONE.

Reasons:

1. See the Commission's recommendations on Submissions 250, 267 and 316 (Townships of Mulmur, Melancthon and Mono) regarding the designation change (Escarpment Protection to Escarpment Rural) and deletion of Rural Areas.
2. See the Commission's recommendations, comments and reasons in the general section of this report.

File No. 500-7 **Page** 1163 **Submission No.** 711

Name: James White.

Land: Part West ½ Lot 31, Concession 3 EHS, Township of Mono and Part East ½ Lot 2, Concession 1 EHS, Township of Mulmur.

Proposed Plan: Escarpment Natural, Escarpment Protection, Escarpment Rural.

Submission:

1. Remove reference to the Primrose-Mono Centre Geological Area.

2. Delete applicant's lands in Mono Township.
3. Delete applicant's lands in Mulmur Township. Failing this, redesignate them to Escarpment Rural.
4. Replace Development Control with zoning.

Related Submissions: 250 (Township of Mulmur), 316 (Township of Mono).

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT WITH MODIFICATIONS.

Reasons:

1. The Hearing Officers did not recommend deletion of the Escarpment Natural from the lands nor the deletion of lands designated Escarpment Protection.
2. See the Commission's recommendations on Submissions 250 and 316 (Townships of Mulmur and Mono) regarding the designation change (Escarpment Protection to Escarpment Rural) and deletion of Rural Areas.

RESPONSE TO VOLUME 4 - PHASE 2

COUNTY OF SIMCOE.

The following Phase 2 submissions in the County of Simcoe were in general support of the Proposed Plan.

Name	File No.	Submission No.	Page
Blue Mountain Bruce Trail Club	600-15	484	1196
Devil's Glen Ski Club	600-29	488	1200

Submission: Supports the Proposed Plan.

Hearing Officers' Report: None.

N.E.C. Recommendation: ACCEPT.

In the following Phase 2 submissions in the County of Simcoe, requests were made for deletions from the Proposed Plan. The Hearing Officers did not recommend deletions and we recommend the acceptance of the Hearing Officers' recommendations.

Name	File No.	Submission No.	Page
Glen Best	600-18	480	1192
Kurt E. Vogel	600- 4	485	1197
Brink Arnold	600-42	720	1208
Charles McLeod	600-44	721	1209
Clifford Weston	600-37	727	1217

Land: Properties in the County of Simcoe.

Submissions: Delete.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT

File No. 600-26 **Page** 1179 **Submission No.** 474

Name: County of Simcoe.

Submission: Permission was granted to Nottawasaga Township to make a submission to the Hearing Officers.

Related Submission: 475 (Township of Nottawasaga).

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

File No. 600-1 **Page** 1180 **Submission No.** 475

Name: Township of Nottawasaga.

Submission:

1. There appear to be many areas in the township where the wrong designation was assigned.
2. Two new lots per 40 ha (100 ac.) should be permitted in Escarpment Protection Areas.
3. Provision should be made for rebuilding an existing use in other than the original location.
4. Sewage systems should be the concern of the local health unit.
5. The construction of buildings on slopes in excess of 25% should be provided for in local official plans as hazard lands and regulated by local conservation authorities, the Ministry of Natural Resources and the Ministry of the Environment.
6. Viability of agriculture should be of no concern to the Niagara Escarpment Commmission.
7. Planning grants should be made available to local municipalities from the province.

8. Land acquisition should not occur through expropriation.
9. Opposed to notification of decisions to anyone who requests notification.
10. The township has outlined 10 areas where it requests designation change or removal of lands from the Proposed Plan.
11. The following land should be designated Mineral Resource Area if not removed from the Proposed Plan:
    - i East ½ Lot 7, Concession 12,
    - ii Lot 6, Concession 9,
    - iii Part Lots 9 and 10, Concession 9.

Lands are required to meet the township's local needs for sand and gravel.

Hearing Officers' Recommendations:

1. None concerning the general part of this submission.
2. That Part 3 on Exhibit 365 be amended as follows:
   (Area 1) All to be Escarpment Rural.
   (Area 2) Remain as Escarpment Protection.
   (Area 3) All to be Escarpment Recreation from Escarpment Rural and Escarpment Protection.
3. That Part 1 on Exhibit 365 be deleted from the Proposed Plan.
4. That Part 2 on Exhibit 365 be deleted from the Proposed Plan.
5. That Part 4 on Exhibit 365 be deleted from the Proposed Plan.
6. That Part 5 on Exhibit 365 be deleted from the Proposed Plan.
7. That Part 6 on Exhibit 365 be deleted from the Proposed Plan.
8. That Part 7 on Exhibit 365 be deleted from the Proposed Plan.
9. That Part 8 on Exhibit 365 remain in the Proposed Plan and the designation not be changed.
10. That Part 9 on Exhibit 365 be deleted from the Proposed Plan.

N.E.C. Recommendations:

1. ACCEPT.
2. ACCEPT WITH MODIFICATIONS.
3. ACCEPT WITH MODIFICATIONS.
4. ACCEPT WITH MODIFICATIONS.

5. **REJECT.**
6. **ACCEPT WITH MODIFICATIONS.**
7. **REJECT.**
8. **REJECT.**
9. **ACCEPT.**
10. **REJECT.**

Reasons:

1. Part 3 on Exhibit 365 should be accepted with the exception of the redesignation of the Escarpment Protection to Escarpment Recreation Area, south of the tributary of Black Ash Creek. The reasons that the redesignation should not take place are:
    a) The lands do not meet the criteria for designation as Escarpment Recreation.
    b) The lands are located on a steep, prominent Escarpment slope. Development of the lands would have a substantial visual impact on the surrounding Escarpment area.
    c) The creek makes a well defined logical boundary for the Escarpment Recreation designation.

2. The Commission concurs with the Hearing Officers' recommendation for the deletion of Part of Lots 3, 8, 17, 18, 19, 20, 22 and 23, Concession 12 and Part of Lots 8, 9, 10, 11, 14, 15, 16, and 17, Concession 11. The remainder of Area 1 on Exhibit 365 should not be deleted for the following reasons:
    a) The lands are located on or just above the brow of the Escarpment.
    b) The areas are important for ground water infiltration.
    c) The lands include numerous source springs and streams which feed the provincially significant Pretty, Mad and Noisy cold water river systems.
    d) These lands provide the buffer for adjacent prominent Escarpment slopes as well as Natural Areas of Provincial and Regional Significance (Life Science). Examples include the Devil's Glen Gorge, the Nottawasaga Bluffs and Lavender Falls.
    c) The lands provide for the open landscape in the immediate vicinity of the Escarpment.

3. The Commission concurs with the Hearing Officers' recommendation for deletion of Part Lots 19, 20, 22 and 23, Concession 12. The remainder of Area 2 on Exhibit 365 should not be deleted for the following reasons:
   a) The lands are located just to the west of the Escarpment brow. They include a very prominent Escarpment related height of land. The topographic maps show this to be the highest point in southern Ontario.
   b) The lands are important for ground water infiltration. Edward's lake is also a significant headwater area.
   c) The lands include Natural Areas of Provincial and Regional Significance (Life Science) as well as lands required to buffer the sensitive features.
   d) The lands also provide for the open landscape in the immediate vicinity of the Escarpment.

4. The Commission does not concur with the deletion of Area 4 on Exhibit 365 for the following reasons:
   a) The area is entirely located on the slopes of the Escarpment.
   b) The area includes an important source area for the Batteaux River, a provincially significant cold water fisheries system.
   c) Surrounding lands buffer this river valley and provide protection for this Escarpment Natural Area.
   d) Visually the area is very attractive and panoramic views are available towards the height of land to the west and lower Escarpment slopes to the east.
   e) The lands provide for the open landscape immediately associated with the Escarpment.

5. The Commission concurs with the Hearing Officers' recommendation for deletion of Part of Lots 16 and 17, Concession 8. The remainder of Area 5 on Exhibit 365 should not be deleted for the following reasons:
   a) The area includes the lower portions of the main Escarpment and the most prominent Escarpment slopes associated with the Creemore Outlier, as well as the valley area between.
   b) The majority of the area is important for ground water infiltration.

c) The lands include numerous source springs and streams, as well as, the provincially significant Mad River cold water system.

d) Surrounding lands buffer this major river valley and provide protection for the Escarpment Natural Area.

e) The area is visually significant, ranging from outstanding in the south near Dunedin to very attractive and attractive on the balance.

f) The lands provide for the open landscape associated directly with the Escarpment.

g) Glen Huron is recognized as being both culturally and historically significant. Its location was in part related to the proximity of the Escarpment (e.g. water power) and as an access point to the Mad River valley (transportation corridor).

6. The Commission does not concur with the deletion of Area 6 on Exhibit 365 for the following reasons:

   a) The area is either located on the Escarpment or just above the brow. A major Escarpment outcrop is located in the area's eastern portion. A distinct ridge follows along the northern limit of the lands proposed for deletion.

   b) The area includes and abuts a Natural Area of Provincial Significance (Life Science/Lavender Falls).

   c) The majority of the area is important for ground water infiltration.

   d) These lands buffer and include some of the Noisy River valley. The lands are visible from the south facing slopes across the valley.

   e) The lands are rated as attractive and form part of the open landscape associated with the Escarpment.

7. The Commission does not concur with the deletion of Areas 7 and 9 on Exhibit 365 for the following reasons:

   a) The area is located on the Escarpment and includes some of its more prominent slopes. A relatively level area in the central portion is considered a plateau forming the top of the Escarpment. This plateau extends southward into Mulmur Township.

b) The area includes a Natural Area of Provincial Significance. This Earth Science Site is considered a very distinctive feature within the Proposed Plan Area and includes a dry valley formed by a major glacial spillway.

c) The lands include numerous cold water source springs and creeks feeding the provincially significant Mad River system.

d) Substantial portions of the lands are visually significant being rated as outstanding towards the north, very attractive toward the east and attractive along the west. In certain areas panoramic vistas afford views for miles.

e) The lands also provide a buffer for adjacent Escarpment Natural Areas.

f) The lands form part of the open landscape directly associated with the Escarpment.

g) The lands located in the western portion of the area provide continuity with the Escarpment slopes located in the Black Bank Creek valley in Mulmur Township.

File No. 600-3 **Page** 1187 **Submission No.** 476

Name: J .G. Adam.

Land: Part Lot 1, Concession 8, Township of Nottawasaga.

Proposed Plan: Parks, Acquisition, Administration.

Submission:

1. Effective controls can be provided by the local municipality.
2. Funds must be provided swiftly to acquire and establish parks to preserve the Escarpment.

Related Submission: 475 (Township of Nottawasaga).

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: NONE.

Reasons:
See the Commission's recommendations, comments and reasons in the general section of this report.

File No. 600-16 **Page** 1188 **Submission No.** 477

Name: William Coutts.

Land: Part Lot 7, Concession 12, Nottawasaga Township.

Proposed Plan: Escarpment Natural, Escarpment Rural.

Submission: The lands to the north, south and west are not in the Proposed Plan. These lands should be deleted as well.

Related Submissions: 475 (Township of Nottawasaga), 726.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: NONE.

Reason: See the Commission's recommendations on Submission 475 (Township of Nottawasaga) regarding the deletion of areas.

File No. 600-28 **Page** 1189 **Submission No.** 478

Name: Lynn Wilkinson.

Land: West ½ Lot 1, Concession 7 and East ½ Lot 1, Concession 8, Nottawasaga Township.

Proposed Plan: Escarpment Natural, Escarpment Protection, Escarpment Rural.

Submission:

1. The subject lands be deleted.
2. That recreation not be encouraged in agricultural areas.
3. The Proposed Plan is unnecessary.
4. The Ontario economy cannot finance the Plan.

Related Submission: 475 (Township of Nottawasaga).

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT WITH MODIFICATIONS.

Reasons:

1. The Escarpment Natural Area on the property was not recommended for deletion in the municipal submission.
2. See the Commission's recommendations on Submission 475 (Township of Nottawasaga) regarding the deletion of areas.
3. See the Commission's recommendations, comments and reasons in the general section of this report.

File No. 600-25 **Page** 1191 **Submission No.** 479

Name: Hubert B. Sceats.

Land: Part Lots 38 and 39, Concession 12, Township of Nottawasaga.

Proposed Plan: Escarpment Rural.

Submission:

1. Deletion of lands from Proposed Plan.

2. Nottawasaga requested that part of these lands be changed to Escarpment Recreation Area.

Related Submission: 475 (Township of Nottawasaga).

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

File No. 600-27 **Page** 1193 **Submission No.** 481

Name: Mrs. V. Bookman.

Land: Part Lot 5, Concession 9, Township of Nottawasaga.

Proposed Plan: Escarpment Natural, Escarpment Protection, Administration.

Submission:

1. Niagara Escarpment Commission should be disbanded.
2. Control should be returned to the local municipality.

Related Submission: 475 (Township of Nottawasaga).

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: NONE.

Reason:

See the Commission's recommendations, comments and reasons in the general section of this report.

File No. 600-11 **Page** 1194 **Submission No.** 482

Name: Noisy River Fishing Club.

Land: Part Lot 6, Concession 9, Township of Nottawasaga.

Proposed Plan: Parks and Acquisition Policy.

Submission: Concerned about acquisition areas. Club should have input before any land acquisitions occur.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

File No. 600-7 **Page** 1195 **Submission No.** 483

Name: Sam S. Sharpe.

Land: Part Lot 14, Concession 7 and Part Lot 7, Concession 8, Nottawasaga Township.

Proposed Plan: Escarpment Natural, Escarpment Protection, Escarpment Rural.

Submission: That the Niagara Escarpment Commission proposals be rejected and the Commission dissolved.

Related Submission: 475 (Township of Nottawasaga).

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT WITH MODIFICATIONS.

Reasons:

1. The applicant's property in Part Lot 7, Concession 8 was not recommended for deletion in the municipal submission.
2. See the Commission's recommendations on Submission 475 (Township of Nottawasaga) regarding the deletion of areas.
3. See the Commission's recommendations, comments and reasons in the general section of this report.

File No. 600-24 **Page** 1198 **Submission No.** 486

Name: Dr. and Mrs. R. Heimbecker.

Land: Part Lot 38, Concession 12, Township of Nottawasaga.

Proposed Plan: Escarpment Rural.

Submission: Lands are located across from the Osler Bluffs Ski Resort and should be changed to Escarpment Recreation.

Related Submission: 475 (Township of Nottawasaga).

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

File No. 600-8 **Page** 1199 **Submission No.** 487

Name: Simcoe County Federation of Agriculture.

Land: Nottawasaga Township.

Proposed Plan: Agriculture, Recreation, Existing Uses, Administration.

Submission:

1. Farming should not be over-regulated.
2. Concern that farming will become a non-conforming use.
3. Farming should be protected from recreation.
4. Implementation should be by a local body.

Related Submission: 475 (Township of Nottawasaga).

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: NONE.

Reasons:

See the Commission's recommendations, comments and reasons in the general section of this report.

File No. 600-36 **Page** 1201 **Submission No.** 713

Name: Curtis Royal.

Land: Part Lot 1, Concession 6 and Part Lot 2, Concession 5, Nottawasaga Township.

Proposed Plan: Escarpment Protection, Escarpment Rural.

Submission: Delete.

Related Submissions: 475 (Township of Nottawasaga), 715, 716.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: NONE.

Reason:

See the Commission's recommendations on Submission 475 (Township of Nottawasaga) regarding the deletion of areas.

File No. 600-38 **Page** 1202 **Submission No.** 714

Name: Clifford Flack.

Land: Part South ½ Lot 5, Concession 6 and Part West ½ Lot 4, Concession 5, Township of Nottawasaga.

Proposed Plan: Escarpment Natural, Escarpment Protection.

Submission: Delete.

Related Submission: 475 (Township of Nottawasaga).

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT WITH MODIFICATIONS.

Reasons:

1. The Escarpment Natural Area on the West ½ Lot 4, Concession 5 was not recommended for deletion in the municipal submission.
2. See the Commission's recommendations on Submission 475 (Township of Nottawasaga) regarding the deletion of areas.

File No. 600-39 **Page** 1203 **Submission No.** 715

Name: Glen and Paul Millsap.

Land: East ½ Lots 2 and 6 and Lots 3 and 4, Concession 6, Nottawasaga Township.

Proposed Plan: Escarpment Protection, Escarpment Rural.

Submission: Delete.

Related Submissions: 475 (Township of Nottawasaga), 713, 716.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: NONE.

Reason:
See the Commission's recommendations on Submission 475 (Township of Nottawasaga) regarding the deletion of areas.

File No. 600-46 **Page** 1204 **Submission No.** 716

Name: Ronald Coulter.

Land: West ½ Lot 2, Concession 6 and East ½ Lot 1 and 2, Concession 7, West ½ Lot 1, Concession 8 and Part Lot 2, Concession 9, Nottawasaga Township.

Proposed Plan: Escarpment Natural, Escarpment Protecton, Escarpment Rural.

Submission: The bulk of the lands are relatively flat and farmed. The applicant requests removal from Development Control.

Related Submissions: 475 (Township of Nottawasaga), 713, 715.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT WITH MODIFICATIONS.

Reasons:

1. The Escarpment Natural Area on the applicant's lands was not recommended for deletion in the municipal submission.
2. See the Commission's recommendations on Submission 475 (Township of Nottawasaga) regarding deletion of areas.
3. See the Commission's recommendations, comments and reasons in the general section of this report.

File No. 600-40 **Page** 1205 **Submission No.** 717

Name: Robert Giffen.

Land: Part Lot 15 and 16, Concession 8 and Part Lot 16, Concession 7, Nottawasaga Township.

Proposed Plan: Escarpment Natural, Escarpment Rural.

Submission: This is farmland and should be deleted from the Proposed Plan.

Related Submission: 475 (Township of Nottawasaga).

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT WITH MODIFICATIONS.

Reasons:

See the Commission's recommendations on Submission 475 (Township of Nottawasaga) regarding the deletion of areas.

File No. 600-41 **Page** 1206 **Submission No.** 718

Name: Elwood Culham.

Land: Lot 14, Concession 11, Nottawasaga Township.

Proposed Plan: Escarpment Natural, Escarpment Protection, Escarpment Rural.

Submission: The lands are actively farmed and should not be in the Proposed Plan.

Related Submission: 475 (Township of Nottawasaga).

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT WITH MODIFICATIONS.

Reasons:

1. The Hearing Officers did not recommend the deletion of the Escarpment Natural and Protection Areas on the property.
2. See the Commission's recommendations on Submission 475 (Township of Nottawasaga) regarding the deletion of areas.

File No. 600-43 **Page** 1207 **Submission No.** 719

Name: James Shields.

Land: Part Lot 18, Concession 9, Nottawasaga Township.

Proposed Plan: Escarpment Protection, Escarpment Rural.

Submission: The lands are being actively farmed and should be deleted.

Related Submission: 475 (Township of Nottawasaga).

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT WITH MODIFICATIONS.

Reasons:

1. The Hearing Officers did not recommend the deletion of the Escarpment Protection Area from the property.
2. See the Commission's recommendations on Submission 475 (Township of Nottawasaga) regarding the deletion of areas.

File No. 600-45 **Page** 1210 **Submission No.** 722

Name: Donald A. McLeod.

Land: Part Lot 11, Concession 8, Nottawasaga Township.

Proposed Plan: Escarpment Rural.

Submission: Lands are rolling and actively farmed. They should be deleted from the Proposed Plan.

Related Submission: 475 (Township of Nottawasaga).

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: NONE.

Reason:

See the Commission's recommendations on Submission 475 (Township of Nottawasaga) regarding deletion of areas.

File No. 600-21 **Page** 1211 **Submission No.** 723

Name: Darrel Taylor.

Land: Part West ½ Lot 3, Concession 12, Nottawasaga Township.

Proposed Plan: Escarpment Natural, Escarpment Rural.

Submission: Delete.

Related Submission: 475 (Township of Nottawasaga).

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

File No. 600-34 **Page** 1213 **Submission No.** 724

Name: David Ruttan.

Land: Part Lot 2 and Lot 3, Concession 12, Nottawasaga Township.

Proposed Plan: Escarpment Natural, Escarpment Protection, Escarpment Rural.

Submission: Delete for the following reasons:

1. There are no Escarpment features on the lands.
2. The lands across the road are outside the Proposed Plan.
3. The owner prefers zoning by-laws.
4. The Proposed Plan is too complicated for the average citizen.

Related Submission: 475 (Township of Nottawasaga).

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT WITH MODIFICATIONS.

Reasons:

1. See the Commission's recommendations on Submission 475 (Township of Nottawasaga) regarding the deletion of areas.

2. See the Commission's recommendations, comments and reasons in the general section of this report.

File No. 600-51 **Page** 1215 **Submission No.** 725

Name: Harold Scott.

Land: Part Lot 3, Concession 12, Nottawasaga Township.

Proposed Plan: Escarpment Protection, Escarpment Rural.

Submission: Delete since they are located on the boundary and there are no Escarpment features which justify their inclusion.

Related Submission: 475 (Township of Nottawasaga).

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT WITH MODIFICATIONS.

Reason:
See the Commission's recommendations on Submission 475 (Township of Nottawasaga) regarding the deletion of areas.

File No. 600-35 **Page** 1216 **Submission No.** 726

Name: George and Ralph Shepherd.

Land: Part Lot 7, Concession 12, Nottawasaga Township.

Proposed Plan: Escarpment Natural, Escarpment Rural.

Submission: Delete since there are no Escarpment features on the property and the lands are located near the Proposed Plan boundary.

Related Submissions: 475 (Township of Nottawasaga), 477.

Hearing Officers' Recommendations: None.

N.E.C. Recommendations: NONE.

Reasons:
See the Commission's recommendations on Submission 475 (Township of Nottawasaga) regarding the deletion of areas.

File No. 600-47 **Page** 1218 **Submission No.** 728

Name: Carmarthan Lake Farms Limited.

Land: South ½ Lot 21, Concession 11 and Lots 19 to 23, Concession 12, Nottawasaga Township.

Proposed Plan: Escarpment Natural, Escarpment Protection, Escarpment Rural.

Submission:

1. Applicant is satisfied with Escarpment Natural and Protection designations.
2. All lands west of the Escarpment Natural Area on the property should be deleted. It is actively farmed and borders other similar lands not in the Proposed Plan Area.
3. The criteria for the designation of Escarpment Rural did not appear to apply to the property.

Related Submission: 475 (Township of Nottawasaga).

Hearing Officers' Recommendation: None

N.E.C. Recommendaton: **ACCEPT WITH MODIFICATIONS.**

Reason:
See the Commission's recommendations on Submission 475 (Township of Nottawasaga) regarding the deletion of areas.

File No. 600-50 **Page** 1220 **Submission No.** 729

Name: William Latimer.

Land: Part West ½ Lot 6, Concession 6, Nottawasaga Township.

Proposed Plan: Escarpment Protection.

Submission: This written submission requested a designation change to permit construction of a home on an adjoining separate lot.

Related Submisison: 475 (Township of Nottawasaga).

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: NONE.

Reason:
See the Commission's recommendations on Submission 475 (Township of Nottawasaga) regarding the deletion of areas.

RESPONSE TO VOLUME 4 - PHASE 2

COUNTY OF GREY.

The following Phase 2 submissions in the County of Grey were in general support of the Proposed Plan.

Owen Sound	700-82	408	1244
Meryl Prange	700-92	412	1248
Dr. Allan Stone	700-74	444	1284
F.O.N.	700-41	447	1287
Stewart E. Hamill	700-90	451	1291
Blue Mountain Bruce Trail Club	700-46	459	1300
Bruce Trail Association	700-60	463	1304
Saugeen Field Naturalists	700-91	684	1322
Garth Baron	700-114	730	1327
Dr. W. G. Bassett	700-115	731	1328
James Beldon	700-16	732	1329
Hans Kleefeld	700-119	733	1330
Herman McConnell	700-120	734	1331
Dorothy Teakles	700-121	735	1332
Robert Weile	700-122	736	1333
Gerald Weinberg	700-123	737	1334
Sharon & Timothy Thompson	700-124	738	1335
Rbt. & Michael Leverty	700-95	739	1336
Beaver Valley Heritage Soc.	700-113	740	1337
C.O.N.E.	700-5	742	1340

Submission: Supports the Proposed Plan.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

In the following Phase 2 submissions in the County of Grey, requests were made for deletions from the Proposed Plan. The Hearing Officers did not recommend the deletions, and we recommend the acceptance of the Hearing Officers' recommendations.

Name	File No.	Submission No.	Page
Lesich Construction	700-47	409	1245
Harold Wrigley	700-56	411	1247
Murray Fox	700-84	416	1252
Bruce N. McKay	700-9	418	1254
Robert Porters	700-7	419	1255
Thomas N. Jones	700-65	420	1256
Norman E. Seabrook	700-13	421	1257
Lloyd Ball	700-6	422	1259
Mr. & Mrs. R. Coward	700-8	423	1260
Fred Davenport	700-12	428	1265
R. Alonzo Rennie	700-11	429	1266
Ray Landherr	700-53	431	1268
Carrie Landherr	700-54	432	1269
Springbank Chalet Farms	700-77	414	1272
Barry W. Reid	700-76	435	1273
Robert W. Reid	700-75	436	1274
Kenneth B. Taylor	700-42	441	1281
Alfred Moos	700-97	442	1282
Bernd Moos	700-1	443	1283
Arnold Flanigan	700-48	450	1290
Sundance of Blantyre Ltd.	700-27	452	1292
Cecile Cole	700-38	453	1294
Alex Torrie	700-35	455	1296
Harold Sutherland	700-24	458	1299
James, Allan, Freda Thompson	700-55	460	1301
Ross Cruikshank	700-57	462	1303

Mervin Campbell	700-61	464	1305
Elroy Belbeck	700-26	465	1306
Walter Scott	700-66	466	1307
Albert King	700-112	468	1315
Donald MacQueen	700-108	470	1317
Hubert B. Cheshire	700-98	692	1323
Donald D. Halls	700-88	694	1325
Dr. Raymond O. Heimbecker	700-4	743	1341

Land: Properties in the County of Grey.

Submission: Delete.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

The following Phase 2 submissions in the County of Grey were opposed to the Proposed Plan.

Name	File No.	Submission No.	Page
D. J. Rowland	700-3	410	1246
Margaret Quinton	700-14	427	1264
Robert McKessock	700-17	440	1280
Melva Peterson	700-83	693	1324

Submission: Opposes the Proposed Plan.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

The following Phase 2 submissions in the County of Grey were made in respect of lands not within the area of the Proposed Plan. The first two involved mapping errors. The Hearing Officers recommended deletion.

Name	**File No.**	**Submission No.**	**Page**
William and Mary Deakin	700-105	413	1249
George Hamilton	700-99	414	1250
Harvey Vance	700-67	439	1279
Bruce P. Simpson	700-73	461	1302
Mervyn & Philip Bye	700-125	695	1326

Hearing Officers' Recommendation: Submissions 413, 414: Delete.
Submissions 439, 461, 695: None

N.E.C. Recommendation: ACCEPT.

File No; 700-72 **Page** 1237 **Submission No.** 405

Name: County of Grey.

Land:

1. Part Lots 12-16, Concessions 4 and 5, Euphrasia Township.
2. Part Lots 9-11, Concession 5, Euphrasia Township.
3. Part Lots 2-6, Concession 5, Euphrasia Township.
4. Part Lots 2 and 3, Concession 5, Euphrasia Township.
5. Part Lots 22-24, Concessions 13 and 14, Artemesia Township.
6. Part Lots 5 and 6, Concessions 4 and 5, Euphrasia Township.
   Part Lots 3-6, Concessions 4 and 5, Euphrasia Township.
7. Part Lots 25-27, Concessions 8-10, Artemesia Township.
8. Part Lots 2-6, Concession 6, Euphrasia Township.

Proposed Plan:

1,2,3 Escarpment Protection

6 Escarpment Protection and Minor Urban Centre.
4,5,8 Escarpment Natural and Escarpment Protection.
7 Escarpment Natural, Escarpment Protection, Escarpment Rural and Minor Urban Centre.

Submission:

1. Redesignate sites 1,2,3,4,5 to Escarpment Recreation.
2. Accept proposed Minor Urban Centres (sites 6 and 7) as conforming to the Proposed Plan.
3. Permit downhill ski development in site 3.

Related Submissions: 424, 438(Dearie Construction), 444, 446, 467(Cambray Investments), 730-740, 742.

Hearing Officers' Recommendations:

1. Redesignate sites 1,2,3,4,5 to Escarpment Recreation.
2. None, this request is provided for in the Proposed Plan.
3. None, the Proposed Plan provides for downhill ski development without an amendment to the Plan.

N.E.C. Recommendations:

1. 1,2,3,4,5 ACCEPT.
2. ACCEPT.
3. ACCEPT.

File No. 700-87 **Page:** 1241 **Submission No.** 406

Name: Township of Keppel

Land: Part Lot 45, Conc. XXIV;
Part Lots 39-45, Conc. XXV;
Part Lots 41-44, Colpoys Range;
Part Lots 2-22, Georgian Range;
Keppel Township.

Proposed Plan: Escarpment Natural and Escarpment Protection

Submission: Delete.

Hearing Officers' Receommendation: Delete.

N.E.C. Recommendation: REJECT.

Reasons:

1. These lands are part of the Niagara Escarpment. They are topographically and visually prominent and contain steep slopes and exposed rock cliffs. These are the characteristics adopted in the Hearing Officers' report to define the Escarpment.
2. These lands properly meet the designation criteria of both the Escarpment Natural and Escarpment Protection designations.

File No. 700-103 **Page:** 1243 **Submission No.** 407

Name: Township of Derby.

Land: Part Lots 13 & 14, Concession 2, Derby Township.

Proposed Plan: Escarpment Protection and Escarpment Rural.

Submission: Redesignate to Urban Centre.

Related Submission: 473.

Hearing Officers' Recommendation: Redesignate to Urban Centre.

N.E.C. Recommendation: ACCEPT.

File No. 700-106 **Page** 1320 **Submission No.** 472

Name: Township of St. Vincent.

Land: Part Lots 2 and 3, Concession 4, St. Vincent Township.

Proposed Plan: Escarpment Protection and Minor Urban Centre.

Submission: Delete the lands because the existing designations do not recognize existing development or provide sufficient direction for future growth of the Hamlet of Griersville.

Hearing Officers' Recommendation: Delete.

N.E.C. Recommendation: REJECT.

Reasons:

1. The municipality believes that the existence of Escarpment Protection Areas adjacent to Griersville will prevent future growth. The Hearing Officers' Recommendation No. 13 would remove this uncertainty by making it clear that a Minor Urban Centre could expand into the Escarpment Protection Area. The symbol does not define the area of the Minor Urban Centre.
2. The lands recommended for deletion are visually, geographically and environmentally related to the Escarpment and therefore correctly included in the Plan.
3. In Submission 449 (Dinsmore) the Hearing Officers' Recommendaton is to retain the lands within the Plan as they are appropriately designated. These lands are similar to the lands in Griersville and the same distance from the height of land. Both parcels, therefore, should be treated the same way.

File No. 700-107 **Page** 1251 **Submission No.** 415

Name: Thomas Sceats.

Land: Part Lot 12, Concession 1, Collingwood Township.

Proposed Plan: Escarpment Protection.

Submission: Redesignate to Escarpment Recreation.

Hearing Officers' Recommendation: Redesignate to Escarpment Recreation.

N.E.C. Recommendation: REJECT.

Reason: In this area the Escarpment Recreation Area designation is meant to include only the area covered by the Craigleith-Camperdown Secondary Plan. These lands are not covered by the Craigleith-Camperdown Secondary Plan and therefore do not meet the Escarpment Recreation Area designation criteria.
If designated as recommended by the Hearing Officers' Report there would be no detailed local planning policies to guide development on the lands.

File No. 700-15 **Page** 1253 **Submission No.** 417

Name: Robert C. Thompson.

Land: Part Lot 9, Concession 4, Collingwood Township.

Proposed Plan: Escarpment Protection.

Submission: Redesignate to Escarpment Recreation.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: NONE.

Reason: See N.E.C. recommendation on the Hearing Officers' Recommendation No. 11 in the general section of this report.

File No. 700-85 **Page** 1261 **Submission No.** 424

Name: Fred Barnes.

Land: Part Lots 4 & 5, Concession 4, Euphrasia Township.

Proposed Plan: Escarpment Natural, Escarpment Protection and Minor Urban Centre (Kimberley).

Submission: Either redesignate the Escarpment Protection to Escarpment Recreation or permit an extension of the Kimberley Minor Urban Centre to include these lands.

Related Submission: 405 (County of Grey).

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT WITH MODIFICATIONS.

Reasons:

1 The Hearing Officers' Recommendation No. 13 will make it clear that a Minor Urban Centre may expand into Escarpment Protection Areas. This will achieve the purpose sought by Mr. Barnes.

2. See N.E.C. recommendation on the Hearing Officers' Recommendation No. 11 regarding the Escarpment Protection designation in the general section of this report.

File No. 700-2 **Page** 1262 **Submission No.** 425

Name: Allan Gillies.

Land: Part Lot 1, Concession 1, Collingwood Township.

Proposed Plan: Escarpment Natural and Escarpment Protection.

Submission: Seeks clarification of the acquisition proposed for a portion of his property.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

File No. 700-68 **Page** 1263 **Submission No.** 426

Name: Alex Johnston.

Land: South ½ Lot 18, Georgian Range, Keppel Township.

Proposed Plan: Escarpment Natural and Escarpment Protection

Submission: Concerned about certain features of the Proposed Plan. Main opposition based on difficulties experienced in procuring severances, although he eventually received what he requested.

Related Submission: 406 (Township of Keppel).

Hearing Officers' Recommendaton: None.

N.E.C. Recommendation: NONE.

Reasons:

1. See N.E.C. recommendations on Submission 406 (Township of Keppel).
2. The owner did not request the deletion of his lands.

File No. 700-62 **Page** 1267 **Submission No.** 430

Name: Irene Potter.

Land: Part Lot 11, Concession 12, Sydenham Township.

Proposed Plan: Escarpment Rural.

Submission: Delete.

Hearing Officers' Recommendation: Delete

N.E.C. Recommendation: ACCEPT.

File No. 700-16 **Page** 1270 **Submission No.** 433

Name: Sydenham Federation of Agriculture.

Submission: Want Planning Area to be reduced to 300 metres on either side of the Escarpment and all Class 1-4 agricultural lands removed from controls of the Plan. The Bruce Trail should not receive Government assistance.

Hearing Officers' Recommendation: None

N.E.C. Recommendation: NONE.

Reason: See N.E.C. recommendations, comments and reasons in the general section of this report.

File No. 700-89 **Page** 1275 **Submission No.** 437

Name: Eric Blaser.

Land:

1. West ½ Lot 16, Concession 5;
2. Part Lot 15, Concession 3, Collingwood Township.

Proposed Plan:

1. Escarpment Rural
2. Escarpment Protection and Escarpment Recreation.

Submission: Seeks clarification of the designations affecting the property.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

File No. 700-29 **Page** 1276 **Submission No.** 438

Name: Dearie Construction.

Land: South ½ Lot 9, Concession 5, Euphrasia Township.

Proposed Plan: Escarpment Natural and Escarpment Protection.

Submission: Redesignate to Escarpment Recreation.

Related Submission: 405 (County of Grey).

Hearing Officers' Recommendation: Redesignate to Escarpment Recreation.

N.E.C. Recommendation: ACCEPT WITH MODIFICATION.

Reason:
The area to be redesignated should be the area requested by the County of Grey (Submission 405)

File No. 700-18 **Page** 1285 **Submission No.** 445

Name: Thomas, Earl and Donald Dailey.

Land: Part Lots 28 & 29, Concession 23, Keppel Township.

Proposed Plan: Escarpment Protection.

Submission: Good farmland should be removed from the Plan. Their lands designated Escarpment Protection are about four or five miles from the Escarpment.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

File No. 700-101 **Page** 1286 **Submission No.** 446

Name: William Stephens.

Land: Lot 27, Concession 8, Artemesia Township.

Proposed Plan: Escarpment Rural.

Submission: Delete.

Hearing Officers' Recommendation: Delete.

N.E.C. Recommendation: ACCEPT.

File No. 700-80 **Page** 1288 **Submission No.** 448

Name: Danny A. Francescut.

Land: Lots 16, 17 & 18, Concession 3, Collingwood Township.

Proposed Plan: Escarpment Recreation.

Submission: Sought clarification of the designations affecting his property.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

File No. 700-80 **Page** 1289 **Submission No.** 449

Name: David Dinsmore.

Land: North ½ Lot 2, Concession 5, St. Vincent Township.

Proposed Plan: Escarpment Protection.

Submission: Delete.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

Note: The Hearing Officers' Recommendation indicated that a part of the Dinsmore lands may be affected by Submission 472 (Township of St. Vincent). However, the Dinsmore lands are not affected by that submission.

File No. 700-81 **Page** 1295 **Submission No.** 454

Name: Donald Abernethy.

Land: Part Park Lots 48 & 49, Town Plot of Brooke, Sarawak Township.

Proposed Plan: Escarpment Natural and Escarpment Protection.

Submission: Wishes to develop the property as 4 or 5 lots in place of the existing 18 lots.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

File No. 700-28 **Page** 1297 **Submission No.** 456

Name: William Lobban.

Land: Part Lot 7, Concession 4, Euphrasia Township.

Proposed Plan: Escarpment Natural.

Submission: Redesignate the lands to Escarpment Protection and remove the lands from Acquisition.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

File No. 700-23 **Page** 1298 **Submission No.** 457

Name: Arthur G. Barnes.

Land: North ½ Lot 2, Concession 4, Collingwood Township.

Proposed Plan: Escarpment Natural and Escarpment Rural.

Submission: Opposed to the acquisition of his lands.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

File No. 700-40 **Page** 1308 **Submission No.** 467

Name: Cambray Investments Limited.

Land: Part Lots 12, 13 and 14, Concessions 5 and 6, Euphrasia Township.

Proposed Plan: Escarpment Natural and Escarpment Protection.

Submission: Redesignate to Escarpment Recreation.

Related Submission: 405 (County of Grey).

Hearing Officers' Recommendation: Redesignate to Escarpment Recreation.

N.E.C. Recommendation: ACCEPT WITH MODIFICATION.

Reason:

The area to be redesignated should be the area requested by the County of Grey (Submission 405).

File No. 700-86 **Page** 1316 **Submission No.** 469

Name: Ontario Trail Riders' Association.

Submission: Designate horse trails in the Proposed Plan.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

File No. 700-64 **Page** 1318 **Submission No.** 471

Name: Blue Mountain Resorts and Craigleith Development Ltd.

Land: Part Lots 14-19, Concessions 1, 2 & 3, Collingwood Township.

Proposed Plan: Escarpment Recreation.

Submission: General support for the Plan while proposing some clarification of permitted uses in Escarpment Recreation Areas. The submission also proposes revisions to the Implementation section of the Proposed Plan.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

File No. 700-104 **Page** 1321 **Submission No.** 473

Name: Charles Kramer.

Land:
1. Part Lot 16, Concession 4;
2. Part Lot 14, Concession 2, Derby Township.

Proposed Plan:
1. Escarpment Protection and Escarpment Rural.
2. Escarpment Natural, Escarpment Protection and Escarpment Rural.

Submission: Delete.

Related Submission: 407 (Township of Derby).

Hearing Officers' Recommendation:
1. None.
2. None.

N.E.C. Recommendation:
1 and 2 ACCEPT.

File No. 700-126 **Page** 1339 **Submission No.** 741

Name: Lloyd Thomson.

Land: East ¼ Lot 4, Concession 4, Euphrasia Township.

Proposed Plan: Escarpment Natural and Escarpment Rural.

Submission: Urges immediate acquistion of the property.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

RESPONSE TO VOLUME 4 - PHASE 2

COUNTY OF BRUCE.

The following Phase 2 submissions in the County of Bruce were in general support of the Proposed Plan.

Name	File No.	Submission No.	Page
Innis Jenkins	800- 4	376	1363
Bruce Trail Association	800- 2	388	1376
Malcolm Campbell	800-50	399	1388
Vincent Elliott	800- 1	678	1395
Coalition on the Niagara Escarpment	800- 6	679	1396
Federation of Ontario Naturalists	800-24	680	1397
Saugeen Field Naturalists	800-49	683	1400
Joseph Johnson	800-58	686	1402
Bryce Kindrick	800-12	688	1404
Bernd Baldus	800-60	691	1407

Submission: Supports the Proposed Plan.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

In the following Phase 2 submissions in County of Bruce, requests were made for deletions from the Proposed Plan. The hearing officers did not recommend the deletions, and we recommend the acceptance of the hearing officers' recommendations:

Name	File No.	Submission No.	Page
Vernon Mackie	800-13	378	1365
Angus Ralph	800-16	382	1369
A. H. Libby	800-44	387	1375
Ronald Ceaser	800-15	395	1383
Frank & Ismay Richardson	800-11	396	1384
Garfield Shouldice	800-55	685	1401

Land: Properties in the County of Bruce.

Submission: Delete.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

The following Phase 2 submissions in the County of Bruce were opposed to the Proposed Plan.

Name	**File No.**	**Submission No.**	**Page**
Ivor C. Bridge	800- 7	375	1362
Phil McNichol	800-8	379	1366
Bruce Peninsula Protection Association	800-17	394	1382
Richard Fox	800-27	403	1393
Niagara Escarpment Northern Ratepayers Association	800-30	404	1394
Clayton McKague	800-14	689	1405

Submission: Opposes the Proposed Plan.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

File No. 800-46 **Page** 1357 **Submission No.** 373

Name: County of Bruce.

Lands:

1. Part Lots 43-46, Concession 1 EBR, St. Edmunds Township.
2. Lot 11, Concession 7 EBR, Lindsay Township.
3. Part Lots 20-23, Concessions 3 and 4 EBR, Eastnor Township.
4. Part Lots 1-14, Concessions 6,7 and 8 EBR, Eastnor Township.
   Lots 1-5, Concession 8 EBR, Albemarle Township.
5. Part Lots 26-33, Concession 8 EBR, Albemarle Township.
   Part Lots 32-35, Concessions 5 and 7 EBR, Albemarle Township.
6. Block 9 EBR, Town Plot of Bury, St. Edmunds Township.
7. Part Lots 46-50, Concessions 1,2 and 3 EBR, St. Edmunds Township.
8. Lots 1-34, Concessions 1-13 EBR, St. Edmunds Township.
   Lots 42-50, Concessions 5-13 EBR, Lindsay Township.
9. Lots 27-30, Concession 7 EBR, Lindsay Township.
10. Part Lots 15 and 16, Concession 9 EBR, Lindsay Township.
11. Part Lots 7-10, Concession 9 EBR, Lindsay Township.
12. Lots 1-17, Concession 5-9 EBR, Lindsay Township.
    Lots 40,42 and 43, Concessions 4,5 and 6 EBR, Eastnor Township.
13. Lots 11-15, Concessions 7,8 and 9 EBR, Eastnor Township.
14. Part Lots 13 and 14, Concession 11 EBR, Eastnor Township.
15. Part Lots 5 and 6, Concession 12 EBR, Eastnor Township.
16. Lots 2-7, Concessions 8-12 EBR, Eastnor Township.
17. Part Lots 24-28, Concession 15 EBR, Albemarle Township.

Submission:

1-5 Delete.

6,7,9-11,14,15,17 Redesignate to Escarpment Recreation.

8,12,13,16 Redesignate Escarpment Natural to Escarpment Protection and Escarpment Rural and Escarpment Protection to Escarpment Rural. The Escarpment Natural and Escarpment Protection areas should be approximately 300 metres wide.

Related Submissions: 374 (Township of Albemarle), 381, 383-386, 397, 400-402, 681, 682, 687, 690.

Hearing Officers' Recommendation:
1-5 Delete.
6,7,9,10,11,14,15,17 Redesignate to Escarpment Recreation.
8,12,13,16 Redesignate to Escarpment Protection and Escarpment Rural.

N.E.C. Recommendations:
1,2,8,12,13,16,17 REJECT.

Reasons: The Bruce County recommendations appear to be based only on protection of the Escarpment cliff face and consequently do not take into account such things as significant ecologic and geological areas related to the Escarpment. This approach does not comply with the stated purpose and objectives of the Act, nor recognize the relationship between the Escarpment and land in its vicinity.

Area 1. These lands are identified by the Ministry of Natural Resources as an Earth Science Candidate Nature Reserve. The underground river and cave system is believed to be the longest active system on the Escarpment and possibly in the province.

These lands, therefore, properly lie within the Escarpment and lands in its vicinity.

Area 2. These lands are identified by the Ministry of Natural Resources as part of the Smokey Head-White Bluff Type A Candidate Nature Reserve. The type A Candidate Nature Reserve denotes a high quality Escarpment related natural environment.

The lands, therefore, properly lie within the Escarpment and lands in is vicinity.

Areas 8,12,13,16 These lands lie within six (6) Type A Life Science Candidate Nature Reserves. Portions are also identified as Earth Science Candidate Nature Reserves. They, therefore, satisfy criteria one (1) and three(3) of the Escarpment Natural designation and criteria two (2) and three (3) of the Escarpment Protection designation.

Area 17. These lands are undeveloped forest lands situated on the Escarpment, and therefore, the lands satisfy criteria one(1) and three (3) of the Escarpment Natural designation. The lands contain undisturbed forested beachlands and Escarpment slopes which should be included in the Niagara Escarpment Parks System and acquired by the Government. The local official plan does not designate these lands for cottage development.

N.E.C. Recommendations: 4, 5, 7 ACCEPT WITH MODIFICATIONS.

Reasons:

Area 4. A large portion of these lands lying west of Bruce County Road 9 are identified by the Ministry of Natural Resources as a Life Science Candidate Nature Reserve and are consequently designated Escarpment Natural Area. These lands satisfy the designation criteria and should be retained in the Plan.

Area 5.

a) The area covered by the approved Colpoys Village Secondary Plan includes the Escarpment which is visually expressed as a rock cliff. This area, therefore, is the Escarpment and lands in its vicinity and should be retained in the Plan.

The Commission agrees with the deletion of some of the lands north and west of the Colpoys Village Secondary Plan, in Part Lots 34, and 35, Concession 5 EBR and Lots 32, 33 and Part 34, Concession 7 EBR.

b) Colpoys Creek is identified by the Ministry of Natural Resources as an important cold water stream providing spawning habitat for salmonoid fish. This stream passes through the Escarpment and is properly within the Escarpment and lands in its vicinity. However, certain lands in the westerly parts of Lots 26 and 27, Concession 8 EBR are not required as a buffer to Colpoys Creek and may therefore be deleted.

Area 7. The Commission concurs in part with the redesignation of these lands. The area of redesignation should end at the Ministry of Natural Resources property at Little Cove. There is no strong argument for designating this Crown Land for cottage development.

N.E.C. Recommendations: 3,6,9,10,11,14,15 ACCEPT.

File No. 800-47 **Page** 1361 **Submission No.** 374

Name: Township of Albemarle.

Submission: The township supports generally the brief of the County of Bruce and requests that certain areas be removed from the Proposed Plan.

Related Submission: 373 (County of Bruce).

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: NONE.

Reason: See N.E.C. recommendation on Submission 373 (County of Bruce).

File No. 800-33 **Page** 1364 **Submission No.** 377

Name: Mr. & Mrs. Donald T. Grant.

Land: Lot I and Part Lot 2, Plan 401, Eastnor Township.

Proposed Plan: Escarpment Recreation.

Submission: Recognize permanent residential development as a permitted use in Recreation Area.

Hearing Officers' Recommendation: None

N.E.C. Recommendation: ACCEPT.

File No. 800-31 **Page** 1367 **Submission No.** 380

Name: Ivan Lemcke.

Land: Part Lot 13, Concession 12 EBR, Eastnor Township.

Proposed Plan: Escarpment Natural and Escarpment Recreation.

Submission: Expressed concern for the length of time required to process a plan of subdivison.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

File No. 800-10 **Page** 1368 **Submission No.** 381

Name: John Clark.

Land: Lot 14, Concession 11 EBR, Eastnor Township.

Proposed Plan: Escarpment Natural, Escarpment Protection and Escarpment Rural.

Submission: Delete the lands or redesignate a portion to Escarpment Recreation to permit a small cottage subdivision as an extension of an existing partially-developed subdivision.

Related Submission: 373 (County of Bruce).

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: NONE.

Reason: See N.E.C. recommendation on submission 373 (County of Bruce).

File No. 800-41 **Page** 1370 **Submission No.** 383

Name: Ronald Gatis.

Land: Part Lot 28, Concession 8 EBR, Albemarle Township.

Proposed Plan: Escarpment Rural.

Submission: Delete.

Related Submissions: 373 (County of Bruce); 374 (Township of Albemarle).

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: NONE.

Reason: See N.E.C. recommendation on Submission 373 (County of Bruce).

File No. 800-37 **Page** 1371 **Submission No.** 384

Name: William Hepburn.

Land: Lots 26 and 27, Concession 8 EBR, Albemarle Township.

Proposed Plan: Escarpment Rural.

Submission: Delete.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: NONE.

Reason: See N.E.C. recommendation on Submission 373 (County of Bruce).

File No. 800-21 **Page** 1372 **Submission No.** 385

Name: Lawrence W. Ward.

Land: Part Lot 28 and Lot 29, Concession 8 EBR, Albemarle Township.

Proposed Plan: Escarpment Rural.

Submission: Delete.

Related Submissions: 373, 374.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: NONE.

Reason: See N.E.C. recommendation on Submission 373 (County of Bruce).

File No. 800-42 **Page** 1373 **Submission No.** 386

Name: Clifford Barfoot.

Land: Lots 29 & 30, Concession 8 EBR, Albemarle Township.

Proposed Plan: Escarpment Rural.

Submission: Delete.

Related Submissions: 373 (County of Bruce), 374 (Township of Albemarle).

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: NONE.

Reason: See N.E.C. recommendation on Submission 373 (County of Bruce).

File No. 800-48 **Page** 1377 **Submission No.** 389

Name: Frances Lerner.

Land: Unit 32, Plan D24, Albemarle Township.

Proposed Plan: Escarpment Recreation.

Submission: Recognize permanent residential development as a permitted use in Recreation Areas. Also concerned for possible commercial development which may be incompatible with the residential nature of the area.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

File No. 800-52 **Page** 1378 **Submission No.** 390

Name: Dr. Charles H. Loucks.

Land: Units 31 and 37, Plan D24, Albemarle Township.

Proposed Plan: Escarpment Recreation.

Submission: Recognize permanent residential development as a permitted use in Recreation Areas. Also concerned for possible commercial development which may be incompatible with the residential nature of the area.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

File No. 800-53 **Page** 1379 **Submission No.** 391

Name: A. A. Searle.

Land: Unit 2, Plan D25, Albemarle Township.

Proposed Plan: Escarpment Recreation.

Submission: Recognize permanent residential development as a permitted use in recreation areas. Also concerned for possible commercial development which may be incompatible with the residential nature of the area.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

File No. 800-29 **Page** 1380 **Submission No.** 392

Name: Mr. & Mrs. Gordon T. Hill.

Land: Part Lot 20, Concession 8 EBR, St. Edmunds Township.

Proposed Plan: Escarpment Natural.

Submission: Acquire the property or provide an easement for access as the property is land-locked by surrounding public lands.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

File No. 800-19 **Page** 1385 **Submission No.** 397

Name: James and Shirley Rodgers.

Land:

1. Lot 30, Concessions 1 & 2 EBR, St. Edmunds Township.
2. Lot 18, Concession 6 EBR, Eastnor Township.

Proposed Plan:

1. Escarpment Natural and Escarpment Protection..
2. Escarpment Rural.

Submission: Delete.

Related Submissions: 373 (County of Bruce).

Hearing Officers' Recommendation:

1. None.
2. None.

N.E.C. Recommendation:

1. ACCEPT WITH MODIFICATIONS.
2. ACCEPT.

Reasons:

1. The Hearing Officers' Recommendation is to retain this property in the Plan. See N.E.C. recommendations on Submission 373 (County of Bruce) regarding the redesignation.

File No. 800-54 **Page** 1387 **Submission No.** 398

Name: Mr. & Mrs. John Thompson.

Land: Lots 44 & 45, Concession 2 EBR, St. Edmunds Township.

Proposed Plan: Escarpment Protection and Escarpment Rural.

Submission: Seeks clarification whether rocks and trees may be removed from active farmland in order to enhance the farm.

Hearing Officer' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

File No. 800-23 **Page** 1389 **Submission No.** 400

Name: Harold Murphy (Colpoys Cove Developments).

Land:

1. Lots 27 & 28, Concession 14 EBR, Albemarle Township.
2. Lot 23 and Part Lots 24 & 25, Concession 14 EBR, Albemarle Township.
3. Lots 26 & 27, Concession 15 EBR, Albemarle Township.

Proposed Plan:

1. Escarpment Natural and Escarpment Protection.
2. Escarpment Natural, Escarpment Protection and Escarpment Rural.
3. Escarpment Natural and Escarpment Protection.

Submission:

1. Redesignate Escarpment Protection to Escarpment Rural.
2. Redesignate Escarpment Protection to Escarpment Rural.
3. Redesignate Escarpment Protection to Escarpment Rural and a portion of Escarpment Natural to Escarpment Recreation.

Related Submission: 373 (County of Bruce).

Hearing Officers' Recommendation:

1. None.
2. None.
3. None.

N.E.C. Recommendation:

1. ACCEPT.
2. ACCEPT
3. NONE.

Reason:

3. See N.E.C. recommendations on Submission 373 (County of Bruce).

File No. 800-57 **Page** 1392 **Submission No.** 402

Name: Leonard Mayhew.

Land: Part Block 9 EBR, Town Plot of Bury, St. Edmunds Township.

Proposed Plan: Escarpment Natural.

Submission: Redesignate to Escarpment Recreation.

Related Submissions: 373 (County of Bruce), 401.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

File No. 800-56 **Page** 1391 **Submission No.** 410

Name: Mrs. Robert Kropschot.

Land: Part Block 9 EBR, Town Plot of Bury, St. Edmunds Township.

Proposed Plan: Escarpment Natural.

Submission: Redesignate to Escarpment Recreation.

Related Submission: Submission 373 (County of Bruce) and 402.

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

File No. 800-18 **Page** 1398 **Submission No.** 681

Name: Harold M. Forbes.

Land: Lot 23, Concession 4 & 5 EBR, Eastnor Township.

Proposed Plan: Escarpment Natural and Escarpment Rural.

Submission: Delete.

Related Submission: 373 (County of Bruce).

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

File No. 800-22 **Page** 1399 **Submission No.** 682

Name: Mrs. W. I. Watson.

Land: Lots 44 & 45, Concession 1 EBR, Township of St. Edmunds.

Proposed Plan: Escarpment Rural.

Submission: Delete.

Related Submission: 373 (County of Bruce).

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

Reason: See N.E.C. recommendation on Submission 373 (County of Bruce).

File No. 800-59 **Page** 1403 **Submission No.** 687

Name: Rodger and Mary Schwass.

Land: Part Lots 29, 30 & 31, Concession 7 EBR, Lindsay Township.

Proposed Plan: Escarpment Natural and Escarpment Protection.

Submission: Delete.

Related Submission: 373 (County of Bruce).

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT.

File No. 800-32 **Page** 1406 **Submission No.** 690

Name: Jerry Rutherford.

Land: Part Lot 15, Concession 7 EBR, Eastnor Township.

Proposed Plan: Escarpment Protection.

Submission: Delete.

Related Submission: 373 (County of Bruce).

Hearing Officers' Recommendation: None.

N.E.C. Recommendation: ACCEPT WITH MODIFICATIONS.

Reason: The Hearing Officers' recommendation is to retain these lands in the Plan. See N.E.C. recommendation on Submission 373 (County fo Bruce) regarding the redesignation.

POOR

QUALITY

ORIGINAL